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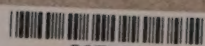
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ACCOUNTS AND PAPERS:

FORTY-THREE VOLUMES.

— (11.) —

COLONIES AND BRITISH POSSESSIONS—*continued.*

Session

5 February — 13 August 1875.

VOL. LII.

1875.

ACCOUNTS AND PAPERS.

1875.

FORTY-THREE VOLUMES:—CONTENTS OF THE ELEVENTH VOLUME.

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CORRESPONDENCE

RESPECTING THE

CANADIAN PACIFIC RAILWAY ACT

SO FAR AS REGARDS

BRITISH COLUMBIA.



Presented to both Houses of Parliament by Command of Her Majesty.
April 1875.

LONDON:
PRINTED BY HARRISON AND SONS.

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Correspondence respecting the Canadian Pacific Railway Act so
far as regards British Columbia

No. 1.

The Earl of Dufferin to the Earl of Kimberley.—(Received January 8, 1874.)

My Lord,

Government House, Ottawa, December 26, 1873.

I HAVE the honour to inclose, for your information, a copy of a despatch from the Lieutenant-Governor of British Columbia to the Secretary of State of Canada, forwarding a copy of a Minute of his Executive Council, referring to the non-fulfilment on the part of the Government of the Dominion of the XIth Article of the Terms of the Union with that Province in respect to the construction of the Canadian Pacific Railway.

I also beg to transmit a copy of a Report of a Committee of the Privy Council of the Dominion on the above-mentioned despatch, stating that my Government is giving its most earnest consideration to the project for the construction of a railway to the Pacific.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 1.

Sir,

Government House, November 24, 1873.

I HAVE the honour to inclose herewith a further Minute of my Executive Council referring to the non-fulfilment by the Dominion Government of the XIth Article of the Terms of the Union of this Province with Canada.

In accordance with the advice of my Ministers, expressed in this Minute, I beg you to be pleased to lay this despatch and its inclosure before his Excellency the Governor-General, and to be good enough to bring to his Excellency's attention the previous Minutes of my Executive Council on the same subject, which were forwarded for his consideration in my despatches of the 26th July last, the latter of which, conveying a protest from this Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains, as provided in the XIth Article of the Terms of Union, as yet unanswered; and to move his Excellency to communicate to this Government, in whatever manner he may deem advisable, in time to meet the requirement of the desire indicated by my Ministers, the course intended to be taken by the Dominion Government in fulfilment of the XIth Article of the Terms of Union of this Province with Canada.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

The Hon. the Secretary of State for Canada.

Sub-Inclosure in Inclosure 1.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General on the 22nd of December, 1873.

THE Committee have had under consideration the despatch dated 24th November, 1873, from the Lieutenant-Governor of British Columbia, inclosing a further Minute of his Executive Council referring to the non-fulfilment by the Dominion Government of the XIth Article of the Terms of Union of this Province

with Canada, and stating, that in accordance with the advice of his Ministers, expressed in this Minute, he requests that this despatch and its inclosure be laid before your Excellency, together with the previous Minutes of his Executive Council on the same subject, which were forwarded for consideration in his despatches of the 26th of July last, the latter of which, conveying a protest from that Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains, as provided in the XIth Article of the Terms of Union, he states, is yet unanswered, and requesting your Excellency to communicate to that Government, in whatever manner may be deemed advisable, in time to meet the requirements of the desire indicated by his Ministers, the course intended to be taken by the Dominion Government in fulfilment of the XIth Article of the Terms of Union of that Province with Canada.

The Committee of Council respectfully recommend that the Lieutenant-Governor of British Columbia be informed that this Government is giving its most earnest consideration to the project for the construction of the Pacific Railway, an outline of which was given in the speech delivered by Mr. Mackenzie at Sarnia on the 25th of November: a scheme which they believe will be acceptable to the whole Dominion, including British Columbia, and that they hope to be able within a short time to communicate more definitely with that Province on the subject.

Certified,

(Signed)

W. A. HIMSWORTH,

Clerk, Privy Council.

Inclosure.

Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor on the 22nd day of November, 1873.

THE Committee of Council having had under consideration a Memorandum from the Honourable the Provincial Secretary, dated 19th November, 1873, setting forth the facts: That the Government of British Columbia has protested against the non-fulfilment of the XIth Article of the Terms of Union; that, beyond the acknowledgment of receipt, no reply has been made by the Dominion Government to the despatch conveying that protest:

That the Government of British Columbia, looking at the actual position of affairs, felt compelled to wait the action of the Parliament of Canada, expected shortly to meet, and which did meet on the 23rd October last past:

That the Parliament of Canada has been prorogued, not to meet until February next, without making provision for the construction of the Pacific Railway:

That the Legislative Assembly of this Province stands called to meet at Victoria on the 18th day of December next; and that the non-fulfilment by the Dominion Government of the Terms of Union has caused a strong feeling of anxiety and discouragement to exist throughout the Province. The Committee advise your Honour to ask the Dominion Government, through the proper channel, for a decided expression of its policy with regard to the fulfilment of the XIth Article of the Terms of Union, in order that the information may be given to the Legislature at the opening of the coming Session, and to request that the decision arrived at be communicated to your Honour by telegram at the earliest moment possible. And the Committee respectfully suggest that if the present report be sanctioned, your Honour will be pleased to forward the same to his Excellency the Governor-General, and also to draw his attention to the Minutes of Council, each bearing date the 25th July last on the same subject, one being a protest against the breach of Article XI, and the other a denial of the right of the Dominion Government to a conveyance, or reserve, of any of the public lands for railway purposes, until the line of railway should be defined.

Certified,

(Signed)

W. J. ARMSTRONG,

Clerk, Executive Council.

No. 2.

The Earl of Kimberley to the Earl of Dufferin.

My Lord,

Downing Street, January 15, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 26th of December,* inclosing a copy of a despatch from the Lieutenant-Governor of British Columbia, with a copy of a Minute of his Executive Council, referring to the non-fulfilment on the part of the Canadian Government of the XIth Article of the Terms of Union between that Province and Canada in respect to the construction of the Pacific Railway.

I have, &c.
(Signed) KIMBERLEY.

No. 3.

The Earl of Dufferin to the Earl of Carnarvon.—(Received May 28.)

My Lord,

Ottawa, May 15, 1874.

I HAVE the honour to inclose, for your Lordship's information, a newspaper report of the speech delivered by Mr. Mackenzie, on the 12th instant, when introducing resolutions for a Bill to provide for the construction of the Pacific Railroad, together with a summary of this speech, and an article from the "Globe" newspaper of the 12th instant, explanatory of the Government project.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 3.

Extract from the Toronto "Globe" of May 12, 1874.

THE CANADIAN PACIFIC.—THREE years ago, when, by the compact with British Columbia, the Dominion of Canada engaged within ten years to construct a railroad from Lake Nipissing, in Ontario, to the Pacific Ocean, the Government of the day possessed absolutely no information as to the nature of the vast undertaking to which they pledged the good faith and resources of the country. The whole of the intervening period since that rash bargain was made has been occupied in ascertaining, at an enormous cost, what the commonest prudence should have suggested to be the first proceeding. Even yet, we believe, the information obtained is not complete, although, probably, sufficient may be known to justify a fair estimate of the difficulties to be encountered and the stupendous character of the task to be performed. In the end we shall probably gain by the delay. The question to be settled was not merely by what route it might be practicable to span the continent of British North America. The construction of the road will be a work of years, but that period will be as nothing in the lifetime of a nation; whilst the method of constructing and operating this gigantic enterprise in the manner most likely to ensure success, and to secure the largest possible benefits at the lowest possible cost is a matter that may affect the welfare of the Dominion for all future time. Prudent calculations and cautious movements to-day may count for millions in the next half century. We shall doubtless be able to judge, when the reports of the various surveys, so far as they are completed, are before the public, how far the investigations that have been going forward since 1871 have accomplished the desired results. In the meantime we shall give an outline of such general information as we have been able to collect on the subject.

The readers of the "Globe" are already informed of the main features of the scheme about to be submitted to Parliament. The outlines of that measure indicate, to some extent, the conclusions of those on whose explorations it is founded. The area which has been subject to survey can hardly cover less than 1,000,000 square miles. Its extreme limits embrace 54 degrees of longitude and 10 of latitude, or, reduced to miles, represent 2,700 miles in length, and from 300 to 500 miles in breadth. A large proportion of this was, three years ago, an unknown wilderness. If a comparison of the extent of what we will call the Canadian Pacific territory were sought in the eastern hemisphere

we should find its counterpart in a region stretching from the coast of France across Belgium, Holland, Germany, Prussia, and Russia, to the Ural Mountains in Asia, and covering a considerable portion of these countries. The botanical and geographical characteristics of this region naturally divide it into three great sections.

Commencing with the most westerly, which is partially wooded and almost entirely mountainous, we find, perhaps, the most difficult and costly portion of the work to be accomplished. Two great mountain ranges bar the pathway of the surveyor who desires to run a line from the Saskatchewan to the Pacific; first, the Rocky Mountains proper, and next, as the coast is approached, the Cascade range. The former, however, present a series of elevated plateaux, with passes that admit of comparatively easy access. The highest of these passes are from 6,000 to 7,000 feet above the sea level, the lowest, 2,000 feet. Numerous independent ranges, known as the Cariboo, Selkirk, and Gold ranges, form a sort of advanced guard to the Rocky Mountains on the western slope. The Cascades rise abruptly from the sea level, looking bold, defiant, and all but insurmountable. The average height of many is from 5,000 to 8,000 feet. It will tax all the skill of the engineer to reduce the gradients in this district to working limits. Between the Rocky and Cascade Mountains lies an elevated plateau, intersected by rivers running through deep channels and threading their way around mountains that here and there lie in their route.

With the central or prairie section recent travellers have now made us better acquainted. It extends from a short distance east of the Rocky Mountains to the Lake of the Woods, and may be described as a vast triangle of an area of 300,000,000 acres in extent, its apex lying at the westward, and its base at its eastern extremity. Its most striking peculiarities are its great lakes and magnificent rivers, forming altogether a grand system of water communication, stretching, with few interruptions, for nearly its whole length. The rivers are described as being seldom obstructed by falls or dangerous rapids, and presenting, as a rule, a uniform descent. Captain Butler's work has lately familiarized us with many of the features of the northern part of this region, which is, to a large extent, rich and fertile, with a fair allowance of woodland. Its southern portion, however, is in many parts barren and uninviting.

The settlement of this country in advance of the railway would solve many difficult problems with regard to the construction and final success of the Canadian Pacific road. For accomplishing this object, Nature has fortunately supplied most powerful auxiliaries in the magnificent lakes and rivers by which it is intersected. Lakes Winnipeg, Winnipegosis, and Manitoba form a chain of water communication, broken only by comparatively unimportant interruptions, far into the interior of the country. The Saskatchewan, too, may, with a moderate expenditure in engineering improvements, be rendered navigable for steamers of light draught through the summer months. Its chief obstacles are the Grand Rapids, at the point where it flows into Lake Winnipeg, which a portage railway of three miles in length would overcome. Next in importance to these rapids are Cole's Falls or Rapids, close to the confluence of the two branches which ultimately form the main stream. They are about twelve miles in length, and have a fall of 12 feet. There are one or two smaller rapids, and the channel would require some dredging and the removal of the huge boulders which have been in times past deposited in the bed of the river, in order to make navigation safe and easy. For steamers or railway purposes, however, this country, rich as it is in many respects, would afford no adequate supply of fuel. But here, again, the coal beds already discovered will come to our aid, although it is quite possible that coal might have to be floated down the river to the depots provided from the seams already discovered above Fort Edmonston. In the prairie region, too, a natural supply of pure water is often found to be scarce, and the geological survey will no doubt direct its attention by boring to ascertain how this necessity may be supplied.

The next great span of country lying before us is the section between the point at which the prairie region ceases and the Nipissing terminus of the projected road. The Reports already published have told of the great difficulty experienced at the outset in discovering a suitable route for a railway through this tangled woodland wilderness. We have reason to believe, however, that perseverance has already accomplished a good deal in this direction, and that a route will be found free from any very appalling obstacles to the construction of the railway. To all who have reflected upon this matter two main objects to be attained will have presented themselves. First, it would be, of course, desirable to follow as nearly as possible an air line from Nipissing to Fort Garry; and, secondly, it would be incumbent on the engineers to approach as nearly as possible to the head of the lake navigation communicating with the St. Lawrence. Everyone is now acquainted with the rugged and uneven character of the country immediately north

and west of Lake Superior. To the rear, however, of the rocky region it is alleged the land is tolerably level, and free from serious obstructions to the progress of the railroad.

Having thus, in very general terms, described the character of the country to be traversed, we may forecast, so far as the materials to hand will allow, the probable route of the Canadian Pacific. That Vancouver Island must ultimately have its railroad terminating at the magnificent Harbour of Esquimalt is tolerably certain. The distance to Esquimalt from Seymour Narrows, where the main line, if its terminus were located in Vancouver Island, might be expected to cross, is about 160 miles, and, except for some 25 miles, a route might be found admitting of the tolerably easy construction of the railroad through a country partly agricultural and rich in coal beds and other mineral deposits. On the other hand, the task of connecting Vancouver with the mainland would be very costly, and require engineering works of great magnitude. A steam ferry might supply for a time the connecting link. A railroad crossing the strait would involve the construction of several bridges, with a clear span varying from 100 to 150 feet each, and the intervening islands would impose a heavy amount of rock excavation and tunnelling on the constructors. These circumstances will have to be regarded in considering the propriety of immediate operations in the island itself. Public policy might demand that they should be grappled with, but the legal obligations of the country towards British Columbia do not actually compel the Dominion to enter upon this undertaking. The Pacific coast can be reached in the terms of the contract with British Columbia by fixing the terminus on the mainland; and without in the least, therefore, proposing to discourage the idea that Vancouver Island is to enjoy the full benefit of this great national enterprise, it may be well, in tracing prospectively the route of the main road, to eliminate the Vancouver Island branch or continuation from our calculations.

Starting eastward from Waddington Harbour, on Bute Inlet, the first 44 miles will present, perhaps, the most repellant features of the undertaking, although the gravest difficulties of this section are to be met with in a distance of some 15 miles. It is probable that the Cascades will be crossed by the great canon of the Homathco River at an altitude of 2,285 feet above the sea level, the ascent being abrupt, and severely taxing the skill of the engineers to reduce the gradients to working proportions that will be equal to the duty of surmounting them. A glance at the map will indicate as the probable route of the railway, after leaving the canon, a line running by way of Lake Latla across the Chilicotin Plains to the Fraser, near Soda Creek; thence by Lac de la Hache to the valley of the Thompson, near Clearwater, and then following the course of the Fraser to Yellow-head Pass, which is crossed at an altitude of 3,760 feet. Descending the eastern slopes of the Rocky Mountains the road would, probably by way of the Caledonian and Jasper valleys, finally strike the plains of the north arm of the Saskatchewan. Those who are most familiar with the route between the head of the Homathco canon and Fort Edmonton, on the eastern side of the mountains, speak of it as presenting no very extraordinary difficulties. The distance is 162 miles, and the greatest depression of the ground is said to be 800 feet below the head of the canon, and Yellow-head Pass only 1,500 feet above it. But it must be remembered that the authorities on these points are mostly engineers or surveyors, or persons who speak and write under inspiration, and it is the natural tendency of men who are daily engaged in the task of overcoming obstacles to make light of them. Captain Butler and others have made the public familiar with the more northerly pass, by which the Peace River flows, and either this or Smoky River Pass would probably be as eligible in many respects as Yellow-head Pass as a means of crossing the Rocky Mountains. We assume, however, that the route selected will be the one by which the Cascades can be surmounted most easily. As was lately announced, explorations are going forward, as to the merits of a route through British Columbia in the direction of the River Skeena. Enough has been said to show that the whole of this grand section is sufficiently beset with obstacles and difficulties to make the most exhaustive inquiry necessary before any one route is finally determined upon.

The prairie section of the route is one that recent travel and explorations have very generally familiarized us with. It will probably present the fewest obstacles to the construction of the road; but the first report issued of the progress of the surveys, if we are not mistaken, led to the conclusion that heavy bridging and some other works of considerable magnitude would have to be undertaken in this region. Meantime the announcements of the Premier indicate that by the utilization of the water communications the building of the railway west of Fort Garry and east of the Rocky Mountains may be for the moment deferred.

In considering the third and last grand section we have to bear two or three important matters in mind. It is desired ultimately to build a through line, as direct as practicable, from the south of Lake Nipissing to Fort Garry. It is important that the line should approach as nearly as possible to the waters of Lake Superior. It is necessary that the readiest possible means should be found of connecting the oldest portions of Canada with the Red River Settlements. It was originally supposed that the road should have to run to the northward of Lake Nepigon, a branch line connecting Thunder Bay with the main road. From information that has reached us we have reason to believe that these several problems may be solved in the following manner:—It is said that a practicable route has been discovered through to the rocky region at the head of Lake Superior, the road approaching the lake as near as Lake Helen, which is an expansion of the Nepigon River, about ten miles north of Nepigon Bay. By a little dredging this point can be reached by steamers, and a Thunder Bay branch line be avoided. It would be further from Fort Garry than Thunder Bay, but then, on the other hand, it combines the advantage of being at the same time a Lake Superior terminus and a station on the main road when this is finally built. By the cost of locks, Chief's Bay could be reached and the line located on Lake Nepigon itself. The distance from the south-east of Lake Nipissing—the ultimate eastern terminus of the Pacific—to Lake Helen is 557 miles. At Nipissing the line would be 730 feet, and at Helen 604 feet above the sea level, the highest intervening summit being 1,420 feet above the sea level; and between this and the point next in altitude lies a comparatively flat country for 370 miles. The real difficulties of this section are found, as might be anticipated, when Lake Superior is approached within twenty or thirty miles of Lake Helen. The gradients on the whole of the stretch from Lake Nipissing to Helen are not, in fact, heavier than those on many existing lines in Ontario.

From Lake Helen it is probable a north-westerly course would be taken until the neighbourhood of Chief's Bay, on Lake Nepigon, is reached, whence the road would run due west to Rat Portage at the northern end of the Lake of the Woods. Thence it would still run west, with a slight bend to the northward, to Lake Manitoba. The whole distance from Lake Manitoba to Lake Nipissing by the shortest route, including a connection with the Lake Superior navigation, will be 1,038 miles. The country between Lake Helen and Lake Manitoba is reported to present no very serious impediments to the construction of such a road.

We must await the publication of the Surveyor's report before entering more minutely into the merits of the rival routes from Nepigon or Thunder Bay. In the former case Nepigon River and Lake Helen open up a means of access to the railroad, as we have already seen, of some ten miles in length; in the latter a similar duty for eight miles would be performed by the Kaministiquia River. The relative advantages of the two bays in a climatic sense, are also matters of dispute. But there is one important consideration that gives Thunder Bay a present advantage. We want, above everything, to establish early and easy access to our north-west territory. At present the contiguity of Thunder Bay to the lake communication with the north-west makes it the point of departure. If a railroad were built for the forty odd miles now known as the Dawson Road, and another line from the Rat Portage to Fort Garry, a distance of about 100 miles, the delays of the present route would be reduced to a minimum. By the aid of the steam service already established on the lakes and rivers, and abundant facilities for moving passengers and freight across the intervening portages, Fort Garry would be easily reached in six days from Thunder Bay. If, ultimately, Lake Helen was made the starting point, the railroad to Lake Shebandowan would still be of great local value, and be available for facilitating that transport which still sought a water route, whilst the line from Rat Portage, at the northern end of the Lake of the Woods to Fort Garry, would then form a portion of the main road. The scheme would appear to commend itself very favourably to consideration.

A rough estimate of the comparative advantages in point of distance of the proposed American and Canadian lines will be interesting. From Fort Garry to Sault Ste. Marie *via* Duluth and water navigation, the distances would be 856 miles; from Fort Garry *via* Nepigon Bay and Lake Superior to the Sault it would be 664 miles; from Fort Garry to Toronto and Montreal the distances, all railway respectively, would be 1,173 and 1,288 miles; from Fort Garry *via* Pembina and Chicago the distances to Toronto and Montreal are, Toronto, 1,589, Montreal, 1,925 miles; from Fort Garry *via* Pembina, Duluth, and Sault Ste. Marie, all rail, the distance would be, to Toronto, 1,296 miles, and Montreal, 1,446, miles. In either case, therefore, the saving by the Canadian line would be very considerable.

It remains for us only to speak of the climatic peculiarities, so far as they are

known, of the proposed route. From all the information that has reached us, these do not appear to be so formidable as had been at one time anticipated. On the western slope of the Cascade Mountains the snow-fall is heavy. There probably snow-sheds would be needed to protect the line, but elsewhere the fall is not so great apparently as in some parts of Ontario and Quebec. If this be borne out by experience—and our surveyors who bring home these reports have now spent a large amount of time and labour in their observations—the Canadian Pacific, although running so much further north, will have less to fear from the rigours of winter than its competitors for trans-oceanic traffic in the more southern regions. On this and other points, however, we shall wait with interest the publication of the official reports of the several parties whose surveys and explorations are needed in order to the finding of a correct judgment.

Inclosure 2 in No. 3.

Extract from the Toronto "Globe" of May 13, 1874.

THE PACIFIC RAILWAY.—On the order for the House to go into Committee to consider certain proposed resolutions relative to the Canadian Pacific Railway being called,

Mr. Mackenzie said : *Mr. Speaker*—In moving that you do now leave the chair, I propose to ask the attention of the House for a short time to some remarks that I propose to make in connection with this measure. I shall endeavour, Sir, to confine myself as closely as possible to a simple business statement of what I conceive to be necessary in submitting the resolutions of which I have had the honour to give notice. The duty is imposed upon the Government of providing some scheme for carrying out the obligations imposed by the solemn action of Parliament in this place. The original scheme, Sir, was one that I opposed at the time of its passage here, as one that in my mind then seemed impracticable within the time that was proposed, and impracticable, I may say also, with the means proposed to be used to accomplish it. I have not changed that opinion, but being placed here in the Government, I am bound to endeavour, to the utmost of my power, to devise such means as may seem within our reach to accomplish, in spirit if not in the letter, the obligations imposed upon us by the Treaty of Union, for it was a Treaty, with British Columbia. During the passage of the resolutions through the House, or through the late Parliament of this country, I expressed my mind very freely as to the nature and extent of the obligations which we were then assuming, and I expressed a very strong conviction that the passage of that measure would necessarily almost result in future calamity, certainly in future complications, which might seriously affect the political position of parties and the political position of the country generally. Sir, unfortunately—I say unfortunately, because I could wish it were otherwise—unfortunately, all that I anticipated has been fully realized. The difficulties have arisen. The late Government were able, although with some difficulty, to carry their resolutions through the House. They were able, though with difficulty, to get a majority of both Houses of Parliament to sustain them in the very extraordinary measure that they proposed—extraordinary, Sir, because it was not demanded by the Province of British Columbia. The Province of British Columbia confined itself to what seemed to me at the time a not unreasonable proposition. They were content with a proposition that this country could very easily have carried out; but the Government of the day, for some inexplicable reason, went so far beyond what that Province considered a fair and legitimate demand, as to place the whole country in jeopardy, from having undertaken a work so prodigiously in advance of what might be supposed to be the fair resources of this country.

It is worth while to glance for a while at the extent of these obligations. We know already the difficulties that have been experienced in constructing the intercolonial road, the construction of that road having been a part of the terms of Union between the Lower Provinces and the old Province of Canada. We know that that road which we had to construct was only 500 miles long; that there was ready access at every point almost along its whole course to the sea; that there was the most ample means provided in every way for carrying that road to an early and successful completion; and I recollect very well the ardent expectations entertained by many of the zealous advocates of Union. I am not sure, Sir, but I was myself among the number as to the early completion of the road, although I did not anticipate its completion at so early a day as many other Members of the old Legislative Assembly of the Province of Canada. I rather went into that work, Sir, as a necessity of the Union. I was not in favour of undertaking it at

all as a commercial transaction, but as a political necessity I accepted it, and went loyally into every means necessary to secure its completion. But I recollect very well that some prominent gentlemen in political life anticipated that that road would be constructed within three years, and anticipations were indulged in on this floor in 1867, when the Act was passed providing for its immediate commencement and construction, that within two or three years—three years at the outside—we should be able to make the railroad journey from the city of Halifax to connect with the railway system of the old Province of Canada.

Well, Sir, the three years have passed and four years more have passed, and it will take at least a year, probably two years, before it will be possible to realize the accomplishment of that very desirable wish to have a complete connection between the system of railway east and west. Yes, Sir, in 1871, when the difficulties were thoroughly understood, and it was quite apparent that the contracts for the construction of that smaller work could not be completed within two or three years of the time that was anticipated, under these circumstances, and at this time, the late Parliament of Canada, under the guidance of the right honourable gentleman opposite, gravely undertook to construct a road five or six times the length of that to which I have alluded, pledged the honour and good faith of this country to its commencement within two years (that is the commencement of the actual work of construction), and pledged the honour and good faith of the country to its entire completion within ten years. As I have remarked, I thought at the time this was an exceedingly extravagant undertaking, and I appealed to the House, not as a mere party opponent of the right honourable gentleman, but as one who felt a great interest in the accomplishment to the Union which we were then discussing—as one who was pledged, if any one in this country was pledged, to adopt every reasonable proposal which could be undertaken to accomplish the complete unification of British America. The difficulties which had to be encountered in constructing a railway at least 2,500 miles long, through a country almost entirely uninhabited, possessing a population of only 15,000 to 20,000 people, and that in the centre of the continent, with a point at which to begin on this side where no person lived, and a point at the other end where very few people lived, the difficulties, Sir, were enormous. With no settled points for the road except these two, and the point where it might touch Lake Superior, it had to traverse a country east of Fort Garry and west of the Rocky Mountains, remarkable for its rough natural features and the engineering difficulties which were sure to present themselves.

However, Sir, the work was undertaken, and we know that precisely what was anticipated has taken place. The honourable gentleman opposite, with his Ministerial majority, succeeded in getting this undertaking assumed by Parliament, and of course, Sir, they took the most extensive powers possible in order to implement their engagement. They took powers so extravagant that I was obliged at the time to call the attention of Parliament to them; but with all these powers, with all that authority which they vested in themselves, after sending a delegation, they accomplished,—what? Why, Sir, they accomplished absolutely nothing. (Hear, hear.) They never received one single offer of any amount from any body of capitalists, or from any company, unless, indeed, we except the famous Sir Hugh Allan Company, which was a mere combination for the purpose of finding capitalists who would undertake it. They had no capital themselves, and did not pretend to have any. They relied entirely upon the success of their mission to England, which proved an entire failure. We have had no history presented to the country of that mission yet. We do not know what proposals were submitted in London, or to whom they were submitted. All that we know is that a delegation of the directors of that Company went to England, passed some weeks or months there, did nothing, came back, and threw up the charter, thereby acknowledging their utter inability to carry out the undertaking. (Hear, hear.) Sir, the incoming Administration were placed in a position of peculiar difficulty in connection with this matter. We had to undertake to vindicate the good faith of the country, and do something which would enable this Parliament to carry out, in spirit if not in letter, the serious undertaking of building this railway as far as the shore of British Columbia. The legal terms are exact. We are bound within a specific time to construct a road to connect with the railway system of Ontario on the east to the Pacific coast on the west. (Mr. Bunster—hear, hear.) There is a moral obligation beyond the legal obligation. I recollect quite well, although I do not intend to base any argument upon the fact, that when the British Columbia Delegation was present in this city, and one of its members, Lieutenant-Governor Trutch, was speaking at a public meeting on the subject, and referring to speeches made by myself and other gentlemen on the floor of this House, he declared his impression to be that the exact terms of the resolutions that were passed,

endorsing the Union, could only be adhered to if it were in the power of the country to accomplish what was required. We know that Sir George Cartier, the gentleman then leading the House, the leader of the Government being then absent at Washington, was appealed to in order to quieting the apprehensions and make smooth the objections existing amongst his followers, which were known to be so great as to make it nearly impossible to carry through the measure. When thus appealed to he came down to Parliament and moved the following resolution, which was adopted:—

“That the House will to-morrow resolve itself into a Committee to consider the following proposed resolution:—‘That the railway referred to in the Address to Her Majesty concerning the union of British Columbia with Canada, adopted by the House on Saturday, the 1st April instant, should be constructed and worked by private enterprise, and not by the Dominion Government; and that the public aid to be given to secure that undertaking should consist of such liberal grants of land and such subsidy in money or other aid, not unduly pressing on the industry and resources of the Dominion, as the Parliament of Canada shall hereafter determine.’” Well, Sir, we now desire the gentlemen who undertook that responsibility to show us how it is possible to construct a railway 2,500 miles long, with a population of 4,000,000, passing during almost its entire length through an uninhabited country of a very rough character. How it is possible to have the exact terms of the Union observed, and at the same time have no extra taxation pressing unduly upon the resources of the Dominion, is a question which presents itself for solution. I believe it is utterly impossible to do so. (Hear, hear.) I believe there can be no question that whoever builds the road, and whenever it may be built, it must be constructed with money furnished by the people of this country. It is true, Sir, that we have a vast extent of land, the greater proportion of which is good, that may perhaps be sold and yield a considerable amount of money. We all hope it will do so, but we must not adopt such a measure as will effectually exclude, as I believe the measure of the late Government would have excluded, settlement, and prevent the growth of the country. (Hear, hear.) We are reduced then to the necessity of considering whether we will attempt to keep up a fictitious price for land, or make it so cheap as that it merely requires the railway to be built to command immediate settlement by a large population. We know, Sir, that the obligations imposed by the building of the road will not terminate with the conclusion of its construction. Supposing it only takes the minimum amount estimated by Mr. Sandford Fleming, 100,000,000 dollars, you have a pretty good appreciation of what it must cost the company in the end. When you double the debt of the country you will not be able to accomplish the borrowing of the sum of money that would be required to build this road, paying the attendant expenses of management, and the debt and everything else connected with it—you will not be able, I say, to borrow the requisite sum of money below 6 per cent. on the amount. If you add 6 per cent. upon the minimum amount to the existing obligations of this country, you will have, in addition to our present annual burdens; 6,000,000 dollars, which, added together would make a continuous application of 12,000,000 dollars before you have a cent to apply to the ordinary business of the country. Then we come to the consideration of what would be the position of the road after it was completed, supposing we were able to fulfil the obligation which gentlemen opposite undertook; and supposing we finished it in seven years, we have Mr. Fleming’s authority—assuming him as an authority, and I think he is very much within the bounds, that until at least 3,000,000 of people are drawn into that uninhabited territory, it is quite impossible to expect the road to pay its running expenses. Mr. Fleming estimates these at not less than 8,000,000 dollars per annum, and they have still further to be supplemented by the proportion of money required each year to renew the road. It is known, however, I believe, to railway authorities, that considering the difficulties of climate and with the ordinary traffic, the road will require renewal, that is the renewal of sleepers and rails, every eight or ten years on an average. No doubt with steel rails substituted for iron the time for their renewal would be considerably enlarged, but to what extent I am at present unable to say. However, we may assume that it would be very much longer than the duration of the ordinary rails.

Mr. Tupper.—What do you estimate as the duration of the ordinary rails?

Mr. Mackenzie.—From eight to ten years, that, at least, is the opinion of Mr. Walter Shanly, whom I assume to be a competent authority. Supposing then that the road were completed, we would have, in addition to the burdens imposed upon us by the interest of the money, to provide for the working of the railway a sum at least equal to that amount, or 6,000,000 dollars every year, in order to keep it in repair. I present these statements not as my own, but as those of the engineers in connection with the enterprise, as well as some of the most eminent engineers we have, who have been

entrusted with the greatest works constructed on the continent. Before proceeding further, let me refer to an additional obligation assumed by the right honourable gentlemen opposite. We were bound by the terms of union to reach the sea board of the Pacific wherever we could touch its waters. There our obligations ended; but the late Government undertook that the terminus should be placed at the further extremity of the Island of Vancouver, thus adding about 240 miles to the obligations already existing. But that is nothing. We happen to know something more, and I think it was known at the time that an Order in Council was passed, which I shall not accept as an obligation entirely binding upon the country, but one which we have to regard from the point of view I shall present to the House. At present we know from the surveys of the country by engineers who have undertaken the work, that, after reaching Bute Inlet, you have still to traverse, if you carry the railway to Vancouver, a distance of 50 miles before you reach the narrows between the island and the mainland; and from the point where you leave the mainland till you reach Vancouver there are another 30 miles to be traversed. Upon these 30 miles we have no less than 3,880 feet of bridging, in a distance almost exactly equal to a mile and a half, a work of a much more formidable character than the bridge over the St. Lawrence at Montreal, composed of spans varying from 300 to 1,350 feet. The current at this point is reported by the engineers as running from 4 to 9 knots an hour. Besides, in this distance of 50 miles from Bute Inlet to the point where you leave the mainland, there is a very large number of tunnels to be constructed, varying from 100 to 3,000 feet in length, and at the islands before you reach Vancouver you have the heaviest kind of work known to railway engineers. Upon these 80 miles between Waddington Harbour and Vancouver Island, there is work of the most formidable character. These, Sir, are the chief difficulties that present themselves to our minds, and these are the facts relating to the question of the obligations which this Parliament is bound to carry out in order to maintain the good faith of the country. It, therefore, rests with the Government to take such measures as they think necessary in order to carry out as nearly as may be in spirit, if not in letter, the resolutions adopted by the late Parliament. Under these circumstances the present Government assumed office. With all these facts staring us in the face, we could not but be aware, and we were quite aware, that the difficulties to be surmounted were of an extraordinary character. We were quite aware that British Columbia claimed that the terms of Union were already violated. The right honourable gentleman opposite gave it as his opinion—and I have a very great regard for his opinion upon legal questions generally—that the work of construction was commenced when the surveys were commenced. Whether he was correct or not I do not think it necessary to say at the present moment. It will be remembered that a surveyor was sent by the Government of the right honourable gentleman to Esquimalt at a critical moment to drive in some stakes in order to make it appear as if this were a commencement of the work. We thought, in the first place, after having had time to consider what should be done, that the best course to pursue in the meantime would be to confer with the local Government of British Columbia, and endeavour to ascertain from them if any means could be arranged whereby an extension of time could be procured for the prosecution of the works which we were bound to take. With that view a gentleman was sent as a representative of this Government to that Province, and, in the course of his negotiations with the local Government, it became apparent, as it has been apparent in this House from several members from the Island of Vancouver, that it was an exceedingly important matter in their estimation that the road should be commenced at once at Esquimalt, and traverse the Island to that point where the crossing of the narrows was ultimately to be. I, for one, was quite willing, if the local Government were disposed to make some terms for the extension of time, to undertake the construction of the island portion as rapidly as possible; but if it became apparent that the local authorities were determined to adhere rigidly to the terms of Union, and demand the whole terms and nothing less, this House and the Dominion of Canada, I was and am strongly of opinion would on their part concede to them the terms and nothing more. (Hear, hear.)

Proceeding upon the belief that this was a fair representation of the opinions of the country, which had to pay for the construction of this enormous work, we instructed Mr. Edgar, who was appointed to represent the Government in the matter, to say that the Government would be prepared to undertake immediately the commencement of the work upon the island, traversing it northwards in the direction of the point of crossing, prosecute the surveys on the mainland, construct a passable road along the ridge, erect a telegraph line along the road, and as soon as the work could be placed under contract we would expend 1,500,000 dollars a year within the Province. I do not know whether the offer will be accepted or not, and, in the meantime, it is

absolutely necessary that Government should have authority to proceed with the commencement of the works in such a way as they think will meet with the acceptance of the country generally, and the reasonable people in British Columbia. There was a very considerable amount of criticism indulged in by the right honourable gentleman opposite when I avowed my own views on this question in my election address to the people of Lambton in November—when I avowed my impression to be that we could, in the meantime, utilize the inland waters, connecting them by branches of railway, building such sections as were absolutely necessary, as quickly as possible, and in this way completing, probably within the time fixed for the final completion of the road, but certainly very soon, means of transcontinental communication between British Columbia and the Eastern portion of the Dominion. And, Sir, I think I recollect the right honourable gentleman stating that if my views were carried out, or attempted to be carried out, British Columbia would be justified in seceding from the Union. He was holding out to them all the encouragement that his distinguished position in the country enabled him to do, to make matters as unpleasant as possible, and to secede from the Union if they liked. (Hear, hear). I have a better opinion of the people of British Columbia, Sir, than to believe that they will for a moment think of adopting the extreme view of an extreme and desperate party leader. (Hear, hear). We are bound, Mr. Speaker, to consider, in reference to this measure, the general interests of the country as well as our obligations, and it may well be that a nation may sometimes undertake obligations which she is never able to carry into effect. Whether the right honourable gentleman has committed that act of folly or not time will tell. I have no doubt myself at all that that folly has been committed. That policy, Sir, which I indicated, of using the water communication between Lake Nipissing, where the road was to commence, and the Pacific, was one adopted in good faith—one which I believe would be beneficial to the whole Dominion; one that, in the meantime, would serve the interests of British Columbia reasonably well, until time would enable us, by increased wealth and developed resources, to carry to completion the enormous project upon which we had entered. I pointed out in a former speech on this subject that if we once could reach Red River at a comparatively small expense—probably not more than 1,000,000 dollars—we would be able to utilize the water communication by Lakes Winnipegosis and Manitoba, and the Saskatchewan River, or by another route pass along the west shore of Lake Winnipeg, and by a short railroad pass the only formidable rapids on the Saskatchewan, and then, during the summer months, we would be able to reach the pass of the Rocky Mountains by steamboat communication at a small cost. The more I have investigated this plan, the more I am convinced of its perfect utility; and even if we were to proceed immediately with the construction of the road through the prairie country, the navigation of the Saskatchewan River is almost essential to carrying out our operations. Unfortunately, the part of the country which will cost most and will be most difficult of access is that from the Rocky Mountains westward. This portion of the road, although not approaching in mileage to the portion eastward, is much more expensive. From about 100 miles west of Fort Edmonton to Bute inlet, the entire cost is estimated at not less than 35,000,000 dollars, and as we can only begin there at the Pacific, an idea can easily be conceived how slow the progress must be. Mr. Fleming has called our attention to the fact that, although he thinks the road might be built for 100,000,000 dollars, if plenty of time were allowed to build it in, yet if undue haste were used, he would not be surprised if double the estimate should be found insufficient.

Having these facts before us it becomes absolutely necessary, in my opinion, to adopt the mode suggested in that speech of mine to which so much exception was taken, that is, to utilize the water communication in the centre of the continent as far as possible. Since the last communication made to the House, or rather to the country, the survey has partially been completed from Lake Nipissing westward, not an instrumental survey, but such a survey as to enable the engineer to say there are no engineering difficulties between Lakes Nipissing and Nepigon, a distance of 557 miles. From Nepigon to Red River, a distance of 416 miles, there are no formidable engineering difficulties, though the nature of the country makes it expensive to build.

We proposed to build the road from Pembina to Fort Garry, as our predecessors did. During the elections great capital was tried to be made out of this, and statements were made by honourable gentlemen opposite to their newspapers that this was in consequence of some bargain with the Northern Pacific Railway, and it was stated that the Northern Pacific had something to do with the previous transactions, which I do not propose to discuss now, as I intend to confine myself to the matter before the House. I may say that I never knew any one connected with the Northern Pacific

Railway, that I never had any communication with or through them, or any one connected with them, good, bad, or indifferent, and any statements to the contrary are simply without foundation; and I challenge any one in this House, or out of this House, to produce anything to the contrary. But it became evident, Sir, that the construction of these sixty-five miles of railway would be necessary in order to get into Manitoba. It was evident that if the railway should be completed through the United States from Duluth to Pembina, we would have an easy mode of communication with Fort Garry, a point on the great road itself; and that it would be of the last importance to be able to commence the line in both directions, with the view of getting immigrants from the United States and Europe into the great prairie country as rapidly as possible. We decided to lose no time in building this branch of the great Pacific road, and I have no doubt this branch will be in operation in little more than a year from the present time, if the House passes the vote which we have asked for this purpose. Thus we will have the means of commencing the road from the western point of the Fort Garry section. I have now to point out what the scheme of the Government is in relation to the construction of the road itself. I have already said I consider the building of this road to be one that has to be borne by the people of the country. It is quite useless to expect that this road can at the present time, or for some time to come, be regarded as a purely, or even partially a commercial enterprise, because I do not expect that any commercial advantages can by any possibility arise to a company constructing this road for many years to come; and as I believe in a perfectly frank, honest expression of opinion in regard to these matters as the only mode by which the affairs of the country can be legitimately carried on, I give free expression to my views in that matter. In regard to the branch from Fort Garry to Pembina, which I think has some commercial advantages which may fairly be expected within a short time to yield some return for the outlay, at present there is no doubt that the commercial advantages would not be great unless we throw upon it a great deal of the traffic in connection with the Pacific road proper. We propose, then, in these resolutions, to ask the House to agree to this general proposition. In the first place we have to ask the House for complete power to proceed with the construction of the road under the terms of the Union with British Columbia, because we cannot throw off that obligation except with the consent of the contracting parties, and we are therefore bound to make all the provision that the House can enable us to make to endeavour to carry out in the spirit, and, as far as we can, in the letter, the obligations imposed on us by law. We ask, therefore, for power to accomplish this, if it can be accomplished, and at the same time we propose to divide the road into several sections, one from Nipissing westward to Nepigon, a distance of 557 miles. This is a section which we do not consider at all necessary or desirable to proceed with at the present time. It is not one that in any way involves in spirit the obligations entered into with British Columbia, if it should be allowed to stand for the time. We propose to make another section from that point or some point on Lake Superior. Nepigon river presents, according to our present information, some considerable advantages, and, in order to have a complete summer connection through our own territory, it appears to be clearly necessary that this section should be proceeded with. Honourable gentlemen will remember that the Saskatchewan takes a long detour southwards, and we do not propose to utilize the navigation at that point. We therefore propose to build the railway from the Red River to the point where we can reach the Saskatchewan without making a detour to the south. This would, therefore, leave somewhere in the neighbourhood of between 600 to 700 miles. I cannot tell the precise distance, for the distances are all approximate. There have been no measurements, they are taken from astronomical points ascertained, making some allowance for bending one way or the other. They are purely approximate, but perhaps they are not very far from the real truth. From that point westward it is quite clear that there is no means of rapid communication except by building a railway, and this portion in British Columbia alone would take 35,000,000 dollars; and from the point which Mr. Fleming calculates as the centre of the Rocky Mountains eastward to the junction with navigation would probably be 100,000,000 dollars, or something like that. This portion we propose to proceed with as rapidly as we are able to obtain a completion of surveys.

There are now four parties of surveyors in British Columbia, one exploring party proceeding along the Cascade Range, with a view to find some other points where that formidable range could be penetrated from the plateau to the ocean. At present the easiest point appears to be Bute Inlet, especially if we look to the connection with the Island. The shortest route, however, is that which takes the Fraser River, and terminates at Burned Island; that is some fifty or sixty miles shorter than the route

whose termination is at Bute Inlet, according to the distances already ascertained, but the engineering difficulties are still more formidable.

In no portion of the Coscack Range has yet been found a favourable passage; that on the Fraser river is the most favourable, but it presents engineering difficulties almost insurmountable. To Bute Inlet there is a descent of 3,500 feet in the course of a very few miles, making an average of over 115 feet to the mile, and there are very formidable obstacles to traffic passing eastward. Still, if no better route presents itself in the course of exploration this summer, it is probable this route will be adopted by the Government. We do not commit ourselves to any portion not thoroughly surveyed. I believe it is absolutely necessary in constructing a great railway that there should be a thorough exploration and survey before it is commenced. I do not believe that any time is gained by the other course. I know our friends from British Columbia are very impatient for the actual work to be commenced, but it is impossible to commence works of construction until the plans on which they are to be constructed are decided upon. It would be very easy to commence at Bute Inlet to grade the road, and so keep within the terms of the Union Act, but I scorn to practise any deception in the matter. (Hear, hear.) I desire to be perfectly frank, and I say it is utterly unsound in practice and principle to commence the work until we know the precise point where the work should be undertaken. It would be a great mistake in the interests of British Columbia itself to commence the construction of the railway, and a year afterwards, after spending perhaps a million or more, to find that we might have obtained a road more favourable in its route and in other respects. We know that though Mr. Fleming had been engaged four years in the survey of the Intercolonial before a single sod was turned upon the line, his surveys were in such a state of incompleteness that it cost the country a great deal more than it need, and would perhaps cost more yet, besides giving rise to difficulties and to heart burnings among the contractors, who alleged they had been deceived with regard to the character of certain sections. I have these complaints before me every day. Every gentleman knows, who hears the motions made in this House from day to day for papers in connection with these contracts, that a serious blunder was made at the beginning, and that arose from the commencement of the work before a complete survey of the road had been made. We are now pushed by our friends from British Columbia to commit a similar blunder, but in a greatly enlarged and aggravated form. For if it took four years to survey the Intercolonial Railway, passing through a country which was reasonably well known, how much more difficult must it be to survey the country from the Rocky Mountains west, which is characterized as an enormous plateau, with mountain ranges rising to an height greater, in some cases, than the highest passes in the Rocky Mountains themselves? We are told, as a matter of fact, that thirty miles from the Pacific the mountains are higher than the most elevated of the Rocky Mountain range. The country is almost entirely unsettled, and is a most difficult road from an engineering point of view. It is intersected at various points by large, rapid, and most dangerous rivers, and presents some of the most formidable engineering obstacles. The Government, therefore, feel that they would not be justified if they did not prosecute as rapidly as possible a full and complete survey of the country before they commenced the road, if that road is to be anything like a success. (Hear, hear.) I have a firm belief in a great future for Canada. (Hear, hear, and cheers.) I have a firm belief that the vast prairies of the West will, even within my own life time, be filled with millions of a busy population (cheers)—that the vast mineral resources of British Columbia will be developed, and that its agricultural resources will prove much greater than at present we have reason to think they are. (Hear, hear.) And, Sir, we have also reason to hope for traffic upon this road that will make it a commercial success. Whenever it becomes necessary to use it as a commercial highway, you would find the difficulty which would be created by having it poorly surveyed and badly graded. There are various modes by which this character of railway has at several times, and in several countries, been constructed, and I think it might not be at all unprofitable to glance at some of the modes by which other countries have accomplished the building of some of their roads.

Sir J. A. Macdonald suggested that as it was now within a few minutes of 6 o'clock, and the honourable gentleman was entering upon a new portion of his subject, that he should reserve his remarks until after recess.

Mr. Mackenzie agreed to do so, and the House accordingly rose for recess.

After recess,

Mr. Mackenzie said—Mr. Speaker, before the House rose I was about referring to the mode adopted in other countries for constructing works of this character involving

the expenditure of large amounts of money. There are several countries in very much the same position as ourselves which have undertaken the construction of railways upon a large scale. If we take, for instance, some South American nationalities, we find in constructing the Plate River Railway, or the Central Railway, as it is otherwise called, which is about 247 miles long, adopted the plan of granting money to the extent of 32,000 dollars per mile, and a guarantee of 6 per cent. upon that amount for forty years. This railway passes through the Plate Valley, which contains about 900,000 square miles, with a population of 3,000,000, or three souls to the mile—a country somewhat smaller than Canada, and a climate, in many portions, somewhat similar. We find that the Southern Railway in the same Republic is constructed by a guarantee of 7 per cent. by the Government on 700,000*l.* sterling; another, by the merchants, of 25,000*l.* sterling, equal in all to about 5,000 dollars per mile. The Northern Railway, also in the Argentine Republic, received a guarantee of 7 per cent. upon 750,000 dollars for twenty years. In Chili the only railway of any consequence constructed in the same manner is that from the seaboard at Valparaiso to Santiago, a distance of 114 miles. It was undertaken at first by a Company, the Government taking two-fifths of the shares and the Company the rest. The Company worked so badly, however, that Congress finally bought out the shareholders who had begun building the railway, and borrowed 7,000,000 dollars from the Barings in order to enable them to complete the road. The road was projected in 1850, and opened for traffic in 1873. Russia is another country possessed of vast resources in land as well as money, or more properly speaking, in credit. In 1857 the first great railway corporation was organized in Russia under the name of the Grand Russian Railway Company. It was organized chiefly by French gentlemen who intended to construct a road from St. Petersburg to Varsovie, at a cost of 70,000,000 dollars, another branch from St. Petersburg to the Prussian frontier at a cost of 9,000,000 dollars, a third line from Moscow to Ninnagorod at a cost of 20,400,000 dollars, all of which were completed in 1862. A fourth and fifth line were also undertaken by the Company, the one from Moscow to Theodosie, and the other from Orel to Liban. The Company received, in the first place, a guarantee of 5 per cent. upon a certain amount of capital on the three first sections, the expenditure upon which the guarantee was payable being 110,500,000 dollars; they afterwards asked an increase upon this guarantee, and also 5 per cent., equal to 114,651 dollars per mile, on the fourth line, instead of 5 per cent. on 75,428 dollars. This was refused by the Russian Government, and they finally undertook to pay interest on 89,887,700 dollars, an actual subsidy of 21,000,000 dollars, and released the Company from its obligations to build railways No. 4 and No. 5. In Portugal, one of the European countries in which railways have been built under the immediate supervision of the Government, the mode of procedure has been one of the two following. The Government initiates some of the railway projects; they first decide upon the line to be built, the mode after which it is to be constructed, the principal towns at which it is to touch, and then they invite proposals from capitalists. These proposals were based upon a careful consideration of the form of tender given by the Government to the intending contractors, and sometimes they were put up publicly to auction. Generally speaking, however, the tenders were received, and the one that presented the most advantageous terms was accepted, subject to subsequent ratification by Parliament. Sometimes Companies organized a scheme themselves, and submitted their scheme to Government, with plans and specifications, with all the information necessary to enable competing Companies to make a tender. The scheme was then advertised, and if any parties offered more advantageous terms than the original projectors were at liberty to accept those terms for themselves; if they did not it was put up to auction and sold to the highest bidder. In that case Parliamentary consent was not required. Several railways were built under this system, the first being from Lisbon to Santarem and the interior towns, the Government paying 6 per cent. for fifty years, with one-half for a sinking fund, and a bonus of 2 per cent. The second was from Bariere to St. Ules, with a subsidy of 8,500 dollars per kilometre, or 13,000 dollars per mile, with a free grant of all the timber and Government lands, the absolute subsidy of the roads becoming the property of the Company. The third was built by a French Company, from Lisbon to Cintra, the Company receiving a valuable grant of land in the neighbourhood of Lisbon by which means they expected to be able to recoup themselves. The fourth, from Lisbon to Oporto, was built by an English Company, with a subsidy of 27,000 dollars per kilometre, or in the neighbourhood of 40,000 dollars per mile, with the timber, mines, and mineral lands within one-half a mile of the road, as they might be able to discover them. The French railways have been constructed on a somewhat mixed plan. The State has surveyed the entire system of the country, over which they retain a corps of engineers. When a

road is considered necessary, it is located in this way by the Government engineer. Ties, rails, sleepers, and so on were contracted for upon specific terms. Under this mixed system there is no doubt the French railways have been a perfect success. There has been a greater measure of safety and prosperity than on English lines, because they have been built and are worked under direct Government supervision, and are free from the competition which has done so much to injure the English and American systems of railway; undue competition has been entirely avoided, each railway having a fair country to draw upon for its traffic.

Up to the latest date I have, I find in certain returns the Government have advanced somewhere about 200,000,000 dollars, while private Companies have advanced nearly four times that amount. Since the date of that return some heavy outlays have taken place in that country, and I merely refer to the matter in order to instance the mode of building as one from which we might derive some instruction. One of the most prosperous British Colonies, New Zealand, is doing some work of a similar character to the Pacific Railway. Although in New Zealand they have no federal system of Government, practically it is, so far as the land is concerned. Each province has a municipal Government which controls the land, and they have given these lands as security to the contractor. No calculations could be based upon them, however, our circumstances being entirely different from theirs. The Irish railway system has been partly aided by the Government. Government have advanced a very considerable sum, about 10,000 dollars per mile, on the Irish railways, giving security for interest upon the stock at the rate of from $3\frac{1}{2}$ to 5 per cent., the average being 4 per cent. The system of guaranteeing the payment of interest on the stock seems to have worked well in British India, where we have instances of enormous railway works being constructed under the direct supervision of the Government by organized Companies, Government guaranteeing a dividend to the stockholders of from $4\frac{1}{2}$ to 5 per cent. for a period of ninety-nine years, at the end of which time they become possessors of the railways, unless other arrangements are made. Under this system the roads are reported to be very successful, and the dividends have, in some cases, been made up by the income, there never having been serious deficiency. On the great lines the Government have one director on the Board who entirely controls the action of the other directors in regard to the rates of passage, the price of freights, and preserves a complete Government supervision over the whole railway system. The only provision made for any return to the shareholders is that, after the dividend is paid, if there is any profit half goes to the arrears of interest, and the other half to the shareholders. And now, Sir, with regard to the system this Government has by these resolutions proposed to adopt. I am reminded by some of the Opposition newspapers that it is practically the same as the scheme of the late Government. I am told by those newspapers that I only propose to build this railway by grants of money and land as was proposed by our predecessors. Sir, as we have nothing else to aid them with, it would be difficult to say how I could propose any other system. (Hear, hear.) But there is this difference between the two schemes. We frankly recognise the failure of the attempt to give a fictitious value to lands in order to get English capitalists to take up the railway, but we also frankly confess the necessity of building the railway by direct money subsidies or a combined system of giving both money and land. There is this difference, however, Sir, between their system and ours, that they took power from Parliament to make an arbitrary arrangement with any Company that they chose, and they were not to be subject to any supervision by the Supreme Court of Parliament in this arrangement. We propose to give a specific sum per mile, in the first place, of 10,000 dollars, and, in the next place, a grant, the same as that proposed by the late Government, of 20,000 acres, the disposal of which I will attend to presently, and then we invite intending competitors to state the amount for which they will require the guarantee at 4 per cent., in order to give them what they may deem a sufficient sum wherewith to build the road. We know that some think 10,000 dollars per mile and 20,000 acres of land, supposing they realize on an average a dollar an acre, will not build the road. It would more than build it in some parts, but from end to end it is evident it will not build it. I do not know, and I have no means of estimating, the probable expenditure per mile further than that to be derived from our own experience and that of our neighbours. The Intercolonial Railway will cost about 45,000 dollars a mile, traversing, on the whole, a very favourable country, and possessing the most ample means of access at various points on its course, and with the additional advantage of having procured the iron structures and the rails at a time when there was a very great depression in the prices of iron. The Northern Pacific Railway, in the accounts published by the Company has cost, so far as it has been carried—that is, to Red River—47,000 or 48,000 dollars per mile, in round numbers. Well, Sir, that road traverses almost wholly

a prairie region—a region easily accessible, and where materials were easily found; and is altogether quite as favourable as the most favourable spot of any part of our territories, with this advantage, that it was much nearer to the producers of supplies than any portion of our line, except that on the immediate borders of the lakes.

The Central Pacific I will not touch, as the cost of that road was so enormous as not to afford any guide at all, because of the extraordinary amount of jobbing connected with it. But judging from the cost of our own railways, we have no reason to suppose that it will be possible to construct this line from end to end at a less price than 40,000 dollars per mile, and it may exceed that by several thousand dollars. Parts of it will, of course, exceed that very much, though in the whole of the sections east of the Rocky Mountains something in the neighbourhood of that figure will cover the outlay. Well, Sir, we propose to donate 10,000 dollars per mile to the Companies, and a guarantee of 4 per cent. on a sum to be named by them in their tenders, and whatever sum they may name will be the determining point as to which of the tenders is the lowest; the grant of land being also absolutely in each case 20,000 acres. But I believe it is an evil system to place any large quantity of our lands in the hands of companies, and the Government therefore propose, while giving 20,000 acres per mile, to retain the entire control of the sale of two-thirds of these lands in their hands, and only to convey absolutely to the companies one-third of the land to be given altogether. I am quite aware that this proposition is likely to depreciate the value of the lands to some extent in the eyes of companies who enter upon it as a commercial transaction, and we do not expect any companies to enter upon it in any other light. Wherever a company proposes to do it from mere patriotism we may be sure there may be some mistake. (Hear, hear, and laughter.) Honourable gentlemen opposite may well laugh, because we had an instance of that, and we know how it turned out. (Hear, hear.) But it is much better, even if that should be the case—even if it should in the eyes of the contracting public depreciate the value of the lands to some extent—that the Government should retain in their own hands the entire control of the greater proportion of these lands, because I attribute a very great deal of importance indeed to being able to throw in settlers to all parts of the country, and filling it with population, which is the only thing which can give ultimately commercial value to the road or prosperity to the country. It will be observed, Sir, that in the resolutions, as I have mentioned, the Government provide for the submission of these contracts to Parliament. They provide also that in case we receive no proposals for the building of what are called the sections in the Bill, that is any of the four great divisions, the Government take power to issue proposals to build the road by direct Government agency. That, however, will be subject also to the ratification of Parliament. We do not expect that any company will make a proposition to build a less portion than one of the sections I have indicated, that is from Nipissing to Nipigon, 557 miles; from Nipigon to Red River, 410 miles; or if we take any point of departure on Lake Superior, from that point wherever it may be, then from Red River westward to Fort Edmonton or the point where we may make a connection with the section west of the Rocky Mountains. These are the four great sections, and it may be quite advisable, quite possible, and altogether it may be the best thing that can be done, that each of these sections should be built by an independent company instead of having one grand company monopolizing the entire system of contracts. That is a matter which is one more of detail, however, than one of principle, and I merely mention it because we have divided the country into these sections for the convenience of getting tenders from companies which might not be powerful enough to undertake the whole, but might be able to undertake a part of it; and also because in the central region we do not intend at present to invite any proposal for immediate execution. The British Columbia section will, of course, have to be proceeded with as fast as we can do it, as it is essential to keep faith with the spirit, and as far as possible with the letter, of the agreement. (Hear, hear.) The branch from Pembina to Fort Garry we propose in the Bill to take absolute authority to build immediately, and as we expect to begin the work of construction some time during the present year, we will not propose in the Bill to reserve that for the sanction of Parliament. In connection with a through line upon our own territory, it would be observed that we have proposed to build from the mouth of French River, on the Georgian Bay, if that shall prove to be a favourable harbour, as we have every reason to believe it will, eastward to the neighbourhood of the place where it was proposed originally to commence the road, that is on the south-east of Lake Nipissing—we are not able to indicate the precise spot in the absence of definite surveys. This branch will probably be from 80 to 85 miles in length, and we also propose to get the authority of Parliament to subsidize existing or projected lines connecting that branch with the railways tending eastward, so that if this road and its connecting line were

complete, passengers might leave any of the Lower Provinces, any part of the Province of Quebec or the Province of Ontario, and travel upon that line up the Ottawa Valley, and on the subsidized line to our own branch, take the steamer on the Georgian Bay, and again connect with the line at Lake Superior, and thus have a complete system through the whole length of the Dominion through our own territory. That is the plan we propose in the Bill we have submitted to Parliament, and it is one that I venture to hope will secure the approval of gentlemen on both sides of the House, and of the country at large.

Mr. Tupper.—Is it intended that there shall be two branches, one on the Ottawa River, and one to the roads connecting with Toronto at Nipissing? What are the distances?

Mr. Mackenzie.—I am not sure of the distances. It is intended to subsidize two branches, but the principal one will be that tending towards the Ottawa Valley, and that for a very obvious reason. There are means of communication now to points on the Georgian Bay, to Lake Huron, connecting with the entire Ontario system, so that it is no very great hardship to get from any part of Ontario in this quarter to the Georgian Bay; but it is tolerably evident to anyone who takes the map that a road going upward in the Ottawa Valley to the neighbourhood of Pembroke, or somewhere further north, and then taking a direct line on what we believe to be a most favourable gradient to the mouth of French River, will give by far the shortest route to the north-west territories from any point on the Ottawa River, and particularly from Montreal and places east. I do not know, Mr. Speaker, that it is necessary that I should say anything further in elucidation of the resolutions that I propose to submit to the House. There is one point, however, that I desire to say a word or two about before I sit down, more in explanation of what has taken place in British Columbia than either in defence or explanation of the Government policy. It will have been observed, Sir, that there was a good deal of excitement, not to say commotion, in that province over some proposed aid to be given for the building of a dockyard for that province. Under the terms of Union it was provided that this Government should guarantee the interest on 100,000*l.* sterling for ten years at 5 per cent., for the completion of that work. A short time after I had been in the Government, representations were made to me by members from that Province that the attempt to get the dock built with this guarantee had been an entire failure, and asking the consideration of the Government to a new proposal. That proposal I found had been submitted to our predecessors, the late Government, and it was substantially that the Government should advance to that province a sum of 250,000 dollars, to be paid out as the work progresses, instead of giving a guarantee for 5 per cent. interest on 100,000*l.* sterling for ten years. After careful consideration, we felt it was of great importance to British and Canadian commerce—for although Canadian commerce is small as yet on the Pacific, we hope to see it become a very large commerce—we felt, I say, that it was extremely desirable that facilities should be given at that place both for commercial vessels and vessels of Her Majesty's navy. We have found within the last few days, indeed, that a great convenience results from Esquimalt being a naval station, as the Government has on several occasions obtained the aid of one of the gun-boats usually stationed there to perform what is really Dominion or Provincial service, and we felt quite justified in accepting the proposal of the Columbian Government, through some of its members here, to advance the sum of 250,000 dollars. If Parliament should approve of the measure we have submitted, a resolution which is on the paper, and which I shall move as soon as these resolutions are disposed of, will authorize the Government to carry this out. It was assumed in the province that we had agreed to this modification in favour of British Columbia, for the purpose of offering some sort of inducement to them to make reasonable terms in reference to the building of the railway. It is, Sir, one of those modifications that one might reasonably expect to have such an influence on the provincial mind there, but that there was ever a word passed on the subject between myself and the honourable member for Victoria who sits behind me concerning any bargain of this kind I utterly deny. There was no word, from first to last, about any terms whatever. We merely thought this was one of the modifications of the terms of the Union in favour of the Province that circumstances seem to have called for, and that the Government was ready to concede for the benefit of the Province and the interests of the Dominion. (Hear, hear.) The Government will feel bound on all occasions to consider anything of that kind in the same spirit, and whether the British Columbian Government and Legislature make any reasonable modifications in the terms of Union or not, it will make no difference with this Government in carrying out what is just and right in the public interest. It is just the same with reference to the other proposal to advance to the Government of British Columbia for

internal matters a sum of 900,000 dollars, or thereabouts, being the amount upon which they are entitled to receive interest. A measure will be submitted to Parliament to carry out both projects, but they have no connection whatever with the terms connected with the Pacific Railway further than I have indicated. We expect every Province to concur in any reasonable modification of what may be rigidly due to them when the public weal seems to call for it; and the Dominion, on the other hand, will be open to consider anything that is essential for Provincial prosperity, even if the terms of Union should not strictly require it. This is the principle upon which the Government have considered these two proposals, and this is the spirit in which we expect British Columbia to receive them. We frankly confess that we are unable to carry out the terms of Union. All engineers pronounce it a physical impossibility; and, under these circumstances, all that British Columbia could fairly complain of would be an indisposition on our part to carry out the terms as far as practicable. They have seen no such indisposition on the part of this Government, and they will see none on the part of this Parliament, and it would be mere madness for them to expect, or for us to pretend, that we were willing to do what everybody knows is a physical impossibility. I have no doubt, Sir, that the House will agree to these propositions. In the discussion of this question in the newspapers within the last few days, although we might fairly expect newspapers in the interests of gentlemen opposite to discuss these resolutions more from a party than from a national point of view, I have seen no solid objection taken to any of the propositions submitted by the Government, and I am sure discussion for the last few months have been entirely in favour of the scheme foreshadowed by myself in January. In any case we have deliberately adopted this policy, which, when fully understood, as I think it is already pretty well understood, will be acceptable to the people generally, and, I hope, to a very large proportion of the inhabitants of British Columbia. They are spoken of as the people most deeply interested in this road. No doubt they are. Their country is a large one and the population small, there being but a few thousands of them. The advantage to them and to their Province of opening it up by railway communication is great, and I am not surprised that they should be extremely sensitive on the subject. But the terms provided for in the Act of Union were very objectionable to the members of the Parliament which agreed to them, three-fourths of whom, I am safe to say, disapproved of them, but they were forced upon them by party exigencies, and softened down by resolutions which, if they had any meaning at all, meant that they were not intended to be carried out. We accept these obligations, however, as binding upon us, so far as it is in our power to carry them out, and consequently we present this our scheme. It being impossible to implement our bargain to the full extent, we propose a means of access to British Columbia by the people east of the Rocky Mountains, and similar advantages to those on the west for reaching the older portions of the Dominion by connecting our inland waters by means of railways. It is quite possible, Sir, that I may, at a subsequent stage, have to make some further explanations in regard to this matter, but in the meantime I leave the resolutions in the hands of the House, confident that they will coincide in the policy we propose, and confident that the resolutions will also commend themselves to the confidence and good judgment of this country, and not only of this country and this Parliament, but of the Imperial Parliament also, and of every reasonable man. (Cheers.) In conclusion, that this House will pass these resolutions I have no doubt whatever. (Loud and prolonged cheers, amid which the honourable gentleman took his seat.)

Mr. Tupper said that he did not rise to continue the discussion at the present time, but to suggest to the honourable gentleman whether it might not shorten the time which would naturally be occupied in the discussion of so large a question if the House were now to pass the resolutions as they were *pro forma*, and discuss them when the motion was made for the second reading of the Bill. (Hear, hear.) If the proposal was agreeable, he would not on the present occasion make the remarks which would naturally be expected from some gentleman on that side of the House upon the speech which had just been delivered.

Mr. Mackenzie said that of course it was for honourable gentlemen opposite to decide on any course they pleased under the circumstances. He had taken occasion, in introducing the resolutions, to speak with considerable fulness, with the intention of introducing his Bill after the resolutions had been discussed and then passed. Still, if honourable gentlemen opposite desired to take the discussion at a later period it would suit him.

Mr. Tupper said he was not prepared at this moment to follow the honourable gentleman, and he thought the discussion could be postponed with advantage.

Mr. Mackenzie said that the Honourable Member for Cumberland had stated that when a measure of this kind was brought down, it was of course understood that the carrying of the resolutions meant the carrying of the measure itself. Of course honourable gentlemen need not say anything on the resolutions now. They could wait until the third reading if they pleased, but the Honourable Member for Cumberland knew that on any resolutions like these the discussion ordinarily took place on the motion for going into Committee, and anything that was said after that was a mere matter of form.

Mr. Blake said that he had always thought it a most wholesome provision of our legislative system that a measure like this should be first brought up in the form of resolutions, and a Bill then introduced founded upon them. The arrangement was one which afforded opportunity for a complete consideration of any measure, and that opportunity was given before decisive action was taken by means of a discussion at an early period of the progress of the measure through the House, to be renewed, if necessary, at a later period. They were anxious, of course, to close the discussion on this question as early as they possibly could. In view of what he considered a very long debate on this measure, he had ventured to recommend the postponement of another important Government measure. He was sure they should all be glad to hear what the honourable gentleman's views were with regard to this scheme now, and if he did this, the House would be better able to form their opinions on these views at a future day, when the honourable gentleman brought before them resolutions embodying these views. If honourable gentlemen opposite said they were willing to let these resolutions go *pro forma* the Government could not object, but of course they could not draw the badger.

Mr. Tupper said that two sets of resolutions had been submitted to the House, the first containing 120,000 dollars, and the second 10,000 dollars, per mile, as the subsidy to be given.

Mr. Mackenzie said that this was owing to a clerical error.

Mr. Tupper said he would remind the Honourable gentleman that the House had only had these last resolutions in their hands within a few hours. He had learned this morning for the first time that there had been a change made in them involving the sum of 27,000,000 dollars. The opinions Honourable Members had formed with regard to the scheme must have been changed by this alteration.

Mr. Mackenzie said that he received his copy of the resolutions at midday on Saturday, and the honourable gentleman must have had them since that time in his box. They had been in the hands of Honourable Members for two days at any rate. He moved that the Speaker do now leave the chair.

The motion was carried, and the House went into Committee, Mr. Forbes in the chair.

The resolutions were adopted, and the Committee rose and reported. The resolutions were then read a second time, and Mr. Mackenzie introduced a Bill founded upon them. The Bill was read a first time, and the second reading fixed for to-morrow.

Inclosure 3 in No. 3.

Extract from the Toronto "Globe" of May 13, 1874.

Summary of Mr. Mackenzie's Speech.

THE CANADIAN PACIFIC DEBATE.—The Canadian Pacific Railway scheme yesterday entered upon a fresh era of its history. On the motion to go into Committee on the resolutions on which the new measure will be founded, Mr. Mackenzie, in an extremely able speech, gave the House a full exposition of the policy of the Administration with regard to this great enterprise. He drew attention to the circumstances surrounding the original agreement to build the Pacific Road, and to the fact that he then anticipated and predicted future complications as the necessary result of the recklessness of the Government by which the terms of union with British Columbia were negotiated. That recklessness was the less excusable, because the Government had the benefit of the experience gained from the Intercolonial, then, and still in progress. But that road was only 500 miles in length; it was accessible at all points from the sea; it possessed, therefore, none of the difficulties besetting the Canadian Pacific. Yet, while at one time it was supposed the intercolonial would be completed in three years, seven

years had elapsed, and it would take another year at least before the work would be finished.

All this was known to the late Government, when, in 1871, they pledged themselves to build a road 2,500 miles in length, through an all but inaccessible country, with only a few thousands of inhabitants, along a line of route beset with difficulties and obstacles to its construction. And their scheme was so rash and impracticable, that it was not possible to obtain even recognition for it in the money markets of Europe. The legal terms of the contract with British Columbia were exact; but even when they were being forced through the House in 1871, a resolution was introduced to satisfy the murmurings of Ministerial followers, the terms of which proved that it was not even then intended the compact should be literally complied with. The burdens of such a work would not cease with the building of the road. It was possible to grant land for the construction of the railway, but it might be possible, by fixing a price upon the land, to exclude population, and the first necessity was to make ingress to the country so easy, and land so cheap, as to fill it as early as possible with a population.

The lowest estimate of the cost of the road, made by Mr. Sandford Fleming, was 100,000,000 dollars. The charges and interest on that amount could not be less than 6,000,000 dollars per annum. It was estimated, that not until the population of the regions traversed numbered 3,000,000, would the road pay its working expenses. These expenses were calculated at not less than 8,000,000 dollars a-year, and that vast sum would not include renewals of rails and sleepers which would have to be made, if iron rails were employed, every eight or nine years. It must be expected, therefore, that they would have to provide 6,000,000 dollars a-year to keep the road in operation.

But it was not only the legal contract made between the Dominion Government and British Columbia that had created embarrassment. That bargain declared the terminus of the road should be on the shores of the Pacific Ocean; but the late Government had agreed to locate it at Esquimalt in Vancouver Island, 240 miles further than the point on the mainland, which would comply with the original obligation. Nor was this the only additional responsibility involved in such an agreement. The engineering difficulties to be encountered in constructing the line to Esquimalt would be enormous. After leaving Waddington Harbour, on Bute Inlet, the road to reach Seymour Narrows, would, for 50 miles, be of the most costly construction, involving a large number of tunnels, varying from 100 to 3,000 feet in length. To cross the Narrows they would require 7,880 feet of bridging, one bridge to be of 640 feet clear span, three of 1,100 feet each, one of 1,200 feet, and two of 1,350 feet, the water being too deep to admit of piers, and the current running at from 4 to 9 knots an hour. The 30 miles intervening between the mainland and Vancouver was studded with islands, which must be crossed, and which would involve works of the most formidable character. These were some of the difficulties which faced the Government on their coming into office. They desired to do their best to fulfil the obligations incurred by their predecessors, without admitting them to be absolutely binding; and had accordingly directed Mr. Edgar, who had gone to British Columbia as their confidential agent, to offer the Local Administration to commence the road at Esquimalt, and push it forward as rapidly as practicable, if the British Columbians would assent to a relaxation of the original terms, and accept an agreement that the Pacific road throughout the Province should be built at the rate of an expenditure of 1,500,000 dollars a-year. If that was refused, then they had no resource but to abide the terms, and need go no further, those terms not compelling them to enter Vancouver Island at all. Whether this reasonable proposal would be accepted or not, he could not at present say.

The speeches of Sir John A. Macdonald during the elections had been designed to create difficulties as far as possible. The British Columbians were told, a breach of the terms would entitle them to secede from the Confederation; but Mr. Mackenzie had a better opinion of his fellow-countrymen than to suppose they would listen to the desperate advice of a desperate party leader.

He went on to say, he had proposed to utilize the water communications of the north-west in perfect good faith; and the more he reflected on that portion of the scheme, the more he was convinced of its policy, and the necessity of adopting it. The road from the Rocky Mountains to Bute Inlet would alone cost at least 35,000,000 dollars. If they took time, the minimum cost of the whole road—100,000,000 dollars—might suffice; but, if they were limited to time, Mr. Sandford Fleming was of opinion it might cost double that sum.

Between Lake Nipissing and Lake Nepigon no serious obstacles presented themselves. From Nepigon to Fort Garry the work, although formidable, was not appalling. The road from Pembina to Fort Garry, would have to be constructed at once, both on

account of the people of Manitoba, and as an auxiliary to the construction of other portions of the railway.

In this connection he took occasion to scout the charge of collusion between himself and the promoters of the Northern Pacific. The section lying between Nipissing and Nepigon they did not propose to construct at present, nor would the delay of this portion be at all at variance with the spirit of the original undertaking with British Columbia.

The road from Lake Superior to Fort Garry would have to be built as early as practicable, so as to secure a summer route to Red River. That section would be 416 miles in length. From Fort Garry to Fort Edmonton was 780 miles, but the Saskatchewan could be ascended for several hundred miles further west. From thence to the Pacific Coast a railroad was the only means of access left to them. They would have, as had been seen already, to spend 35,000,000 dollars on the construction of the road through British Columbia, besides building 100 miles of railway on the eastern side of the Rocky Mountains. Survey parties were now seeking an easier route through the Cascade Mountains. The shortest route for the line would locate its terminus at Burrard Inlet, but it was probable that the route terminating at Bute Inlet would prove the most desirable, especially in view of the railway being carried to Vancouver Island, although there the gradients were for a considerable distance no less than 115 feet to the mile. The surveys were not yet completed, and he would, under no circumstances, be a party to taking one step until possessed of every needful information for giving the contracts, with a view to their satisfactory fulfilment.

After expressing his confidence in the future of Canada, if her affairs were prudently managed, Mr. Mackenzie described in some detail the nature of the arrangements made by other Governments for the construction of railroads. He then described the plans of the Government for building the Pacific Railway, as already explained in "The Globe," including the subsidy of 10,000 dollars per mile, the land grant of 20,000 acres per mile, with the provisions for its sale under Government authority, and the guarantee on terms to be agreed on in the contracts. He could not estimate the cost of the road eastward of the Rocky Mountains at less than 40,000 dollars a mile, and would not say it might not largely exceed that sum. The Government would take powers to construct the work by contract, or otherwise, but in either case they would first come to Parliament for its sanction and authority. Probably they might find it best to allow the road to be constructed by four independent companies instead of one great corporation; but on this point he did not desire to commit himself. He referred to that portion of the scheme which relates to the line from the Ottawa to the Georgian Bay, and the connection to be established with the Provincial lines, and made some remarks in explanation of the arrangements with British Columbia with regard to the graving dock at the Esquimalt, and the capitalization of the annual subsidy.

No. 4.

The Earl of Dufferin to the Earl of Carnarvon.—(Received May 28.)

My Lord,

Ottawa, May 15, 1874.

IN continuation of my despatch of this day's date* I have the honour to inclose an article from the Toronto "Mail," opposition paper, criticising the scheme of the Government.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 4.

Extract from the "Mail" of May 14, 1874.

THE PACIFIC RAILWAY.—We have now heard Mr. Mackenzie's explanations of the Pacific Railway resolutions. In his speech he endeavoured to combat the statements made in these columns that his scheme, if carried out in good faith, was virtually the scheme of his predecessors, which had been so unsparingly condemned by him and his party. We apprehend that those who listened to the disclaimer failed at the same time

to find any justification of it in the Premier's remarks. The only point of difference to which the First Minister alluded was the disposition of the land grants; this, however, is but an incident of the scheme, and we shall refer to it farther on. Taking the Government's propositions as they appear on paper, they contemplate the construction of a line of railway from Lake Nipissing to some point on the Pacific Ocean, with branches from Pembina to Fort Garry, and from Lake Nipissing to the Georgian Bay. In the latter respect there is a change from the scheme of the old Government, which proposed to make this branch from Lake Superior, rather than from the Georgian Bay. Otherwise, we repeat, it is the old plan in all its essential features. We are speaking now of the railway, and not of the manner in which it is to be constructed—of what the men in power once so vigorously and, as now appears, so unreasonably opposed.

The Premier's speech makes plain what was before only a matter of suspicion. The paper plan is one thing, the real Government plan another. The paper plan was conceived to be necessary to satisfy the representatives and the people of British Columbia. The real plan is a tricky and roundabout way of avoiding what Mr. Mackenzie confesses are, in fact, Treaty obligations between the Dominion and the Pacific Province. Let us look at the scheme. Mr. Mackenzie assured the House and the country that the explorations which have been made show that there are no serious engineering difficulties on the section between Nipissing and Nepigon, which was supposed to present the greatest physical difficulties on the entire route. At the same time, patting the eastern men on the back, he dwelt upon the advantages to Montreal and Quebec and the Provinces to the eastward, of the connections to be formed between the Pacific Railway at Lake Nipissing, and the lines in course of construction from more easterly points westwardly to the eastern terminus of the Pacific road. In one breath he blows all this away, as though the portions of his resolutions referring to the eastern section had never been written nor printed, into thin air, by emphatically declaring that the Government do not intend to build this section at all. He did not even attempt to make an approximate estimate of the time within which it would be built, and thus form the connections between the east and west of which he spoke. It is, in fact, abandoned as completely as though it were never mentioned, and we are safe in saying that, if this Government were to remain in power for a quarter of a century they would not construct it, unless, indeed, some dire political necessity or the incentive of personal gain urged them to it. The eastern men, who looked for bread from Mr. Mackenzie's hands, may well say he has given them a stone. Well, the eastern section of the railway is to be thrown over. What then? The section between Nepigon or some point on Lake Superior and Fort Garry, the Premier says, will be first entered upon, but the time when is an important point, on which he gives no information whatever. The Pembina branch, he says, will be proceeded with immediately, although it is only a few weeks since the First Minister told a Manitoba delegation that the Government had no intention of going on with this branch until the American Company had extended their road northward to the border line. He (Mr. Mackenzie) is equal to the concocting of the most diverse policies in the briefest possible space of time. It is, at all events, satisfactory to know that something is to be done—that something is the Pembina branch. By way of parenthesis, we would ask here, where now are H. S. Howland and John Turner, and J. D. Edgar, and Messrs. Cook, Cockburn, and the other incorporators whose suspicious bills Mr. Moss has in charge? As the first carrion is to be found between Pembina and Fort Garry, thither let the eagles turn their attention. But to "return to our muttons." Having got to Fort Garry by rail, we find Mr. Mackenzie still enamoured of his magnificent water "courses," though they are not once named in the resolutions. These he intends, he says, to utilize between the Red River and Edmonton, a distance of 600 or 700 miles, but at what period is as indefinite as everything else in the scheme, except the Pembina branch. From Edmonton westward he estimates that about 100 miles of rail will be required until the British Columbia section is reached, but when the Pacific section is to be commenced we are not informed. That, too, is left in indefiniteness, and may be supposed to depend upon the ambassadorial success of the defeated of Monck. We can only say the British Columbians are easily satisfied if any assurance which Mr. Mackenzie has given them in his speech will be regarded by them as satisfactory.

The dream of a trans-continental British-American Railway has been effectually destroyed by the present Government. The magnificent scheme of their predecessors, which was to cost, all told, only 30,000,000 dollars, and 50,000,000 acres of land, is, we fear, dwarfed to the puny proportions of a road to Fort Garry, and a branch line which may be characterized as a railway to help the Northern Pacific Company out of its difficulties. But supposing that we are wrong in this apprehension, and that it is the inten-

tion of the Government to make the Canadian Pacific Railway a grand reality, what of its cost? How does the scheme of the "Great Reform Government" compare with that of their much-denounced predecessors? We were disposed to doubt if the Government really meant to commit the country to the enormous expenditure foreshadowed by their resolutions, and though the junior Ottawa organ of the Ministry, which is remarkable for nothing so much as its evident want of brains, undertook to question our calculations, we have the satisfaction of knowing that the Premier's statement entirely bore them out. The financial part of Mr. Mackenzie's speech, it is true, is open to the strong suspicion that it was made in the interest of the Premier's contractor friends. The lands, he says, cannot be expected to realize more than a dollar an acre. Perhaps not, if they are at once forced upon the market, as this Government, whose members were at one time so strongly opposed to their sale altogether, intend to force them. In the hands of a company they could be made the basis of financial operations, and mostly held until the railway made them valuable. Untold millions will most assuredly be lost to the country by the changed policy of Government with respect to the lands; but we are now dealing with the Premier's figures. 50,000,000 of acres of land, he says, will realize as many millions of dollars; add to this 26,000,000 dollars of a direct subsidy, and a simple calculation will give you an absolute cash bonus of 28,000 dollars per mile, for which the Government becomes responsible. But the Premier says in all probability the road will cost 48,000 dollars per mile, the British Columbia section being a particularly costly one. This leaves 19,000 dollars, or, in round numbers, 20,000 dollars per mile, on which the 4 per cent. guarantee for 25 years will require to be paid. The sum total of all this is, that to carry out their paper scheme, the Government propose to give 80,000,000 of dollars in hard cash, and, in addition, the proceeds of 50,000,000 of acres of land so soon as the lands are disposed of, or 50,000,000 dollars more than the sum offered by the reckless, extravagant, and corrupt Government which was compelled to go out of office on issues arising out of this question.

Mr. Mackenzie took credit to the Government because they proposed to submit the contracts to Parliament. Verily, these Pharisees strain at a gnat and swallow a camel. This submission of contracts to Parliament is the veriest farce in the world on the part of this Government—a hollow concession designed as a cloak to the retaining of all actual power in their own hands. Everything of real consequence these sticklers for Parliamentary responsibility propose to do by Order in Council. They can commence any section or sub-section when they please, and stop it when they please. There is nothing in connection with the road which they cannot do of their own motion, except handing over the contracts without the formality of their submission to Parliament. And here, in fact, is to be seen one of the biggest Ethiopians on this particular fence. The whole scheme is so arranged as to enable the Government to take up bit by bit of the railway, and hand it over to their contracting friends. They will let a contract when it pleases them to do so, and no sooner. The whole project as cut and carved out by Mr. Mackenzie and his colleagues savours strongly of jobbery and corruption, and, we venture to predict, will lead to an infinite quantity of both, while at the same time it opens wide the door for that dreaded American influence which was made such a bugaboo of by the Grits when their opponents were in power, and which was so strictly guarded against by the late Administration, whose entire policy, as now most plainly appears, was alike economical and patriotic, that of the present Government being the very reverse.

No. 5.

Lieutenant-Governor Trutch to the Earl of Carnarvon.—(Received June 12.)

(Telegraphic.)

June 11, 1874.

MINISTRY desire notify you that Delegate proceeds immediately London present appeal British Columbia against breach by Canada railway terms union.

No. 6.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, June 18, 1874.

THE intimation which I have received by telegraph of the departure from British Columbia of the President of the Council and Attorney General, sent to this country for

the purpose of appealing against the course proposed by your Government and sanctioned by the Dominion Parliament, in regard to the Pacific Railway, together with the reports of the proceedings in that Parliament, and other informal communications, have led me to apprehend that the difference of opinion which has unfortunately occurred may not only prove difficult to adjust, but may not impossibly, if it remains long unsettled, give rise to feelings of dissatisfaction and to disagreements, the existence of which within the Dominion would be a matter for serious regret.

2. It is not my wish, nor is it a part of my ordinary duty, to interpose in these questions. They appear to me to be such as it should be within the province and the competence of the Dominion Government and Legislature to bring to a satisfactory solution; and you will readily understand that Her Majesty's Government would be very reluctant to take any action which might be construed as expressing a doubt of the anxiety of the Dominion Government and Parliament to give the fullest consideration to such representations as may be made on the part of British Columbia, and to deal in the fairest and most liberal spirit with what may be established as being the just claims of that Province.

3. At the same time I am strongly impressed with the importance of neglecting no means that can properly be adopted for effecting the speedy and amicable settlement of a question which cannot, without risk and obvious disadvantage to all parties, remain the subject of prolonged and, it may be, acrimonious discussion; and it has occurred to me that as in the original terms and conditions of the admission of British Columbia into the Union, certain points (as, for example, the amount of land to be appropriated for the Indians, and the pensions to be assigned to public officers deprived of employment) were reserved for the decision of the Secretary of State; so, in the present case, it may possibly be acceptable to both parties that I should tender my good offices in determining the new points which have presented themselves for settlement. I accordingly addressed a telegram to you yesterday to the effect that I greatly regretted that a difference should exist between the Dominion and the Province in regard of the railway, and that, if both Governments should unite in desiring to refer to my arbitration all matters in controversy, binding themselves to accept such decision as I may think fair and just, I would not decline to undertake this service.

4. The duty which, under a sense of the importance of the interests concerned, I have thus offered to discharge is, of course, a responsible and difficult one, which I could not assume unless by the desire of both parties, nor unless it should be fully agreed that my decision, whatever it may be, shall be accepted without any question or demur. If it is desired that I should act in this matter, it will be convenient for each party to prepare a statement, to be communicated to the other party, and after a reasonable interval a counter-statement; and that on these written documents I should, reserving of course to myself the power of calling for any other information to guide me in arriving at my conclusion, give my final decision.

5. I request you to transmit a copy of this despatch with the utmost possible speed, to the Lieutenant-Governor of British Columbia. I have communicated to Mr. Sproat, the Agent for British Columbia, for transmission by telegraph, to the Government of that Province, the purport of the telegram which I addressed to you yesterday, in order that my offer may come before both parties as soon as possible.

I have, &c.
(Signed), CARNARVON.

No. 7.

Lieutenant-Governor Trutch to the Earl of Carnarvon.—(Received July 22.)

My Lord,

British Columbia, Government House, June 11, 1874.

I HAVE the honour to state that I have this day, at the instance of my responsible Advisers, addressed to your Lordship a telegraphic despatch to the following effect:—

“Ministry desire notify you that Delegate proceeds immediately London present appeal British Columbia against breach by Canada Railway Terms Union.”

I have, &c.
(Signed) JOSEPH W. TRUTCH.

The Earl of Dufferin to the Earl of Carnarvon.—(Received July 22.)

My Lord,

Quebec, July 9, 1874.

I HAVE the honour to forward, for your Lordship's information, a printed Circular from the Department of Public Works inviting proposals for the erection of a line of telegraph along the general route of the Canadian Pacific Railway.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 8.

Canadian Pacific Railway.—Telegraph Line.

PROPOSALS are invited for the erection of a line of telegraph along the general route of the Canadian Pacific Railway, as may be defined by the Government. The proposals to embrace the following points, viz. :—

The furnishing of all materials, labour, instruments, and everything necessary to put the line in operation.

The maintenance of the line for a period of five years after its completion.

In the wooded sections, the land to be cleared to a width of 132 feet, or such greater width as may be necessary to prevent injury to the telegraph from fires or falling trees.

Distinct proposals to be made for each of the following sections; such proposals in each case to state the time when the party tendering will undertake to have the telegraph ready for use :—

1. Fort Garry to a point opposite Fort Pelly, about 250 miles.
2. Fort Garry to the bend of the North Saskatchewan, about 500 miles.
3. Fort Garry to a point in the longitude of Edmonton, about 800 miles.
4. Lac La Hache, or other convenient point on the existing telegraph system in British Columbia, to Fort Edmonton, about 550 miles.
5. Fort Garry to Nepigon, Lake Superior, about 420 miles.
6. Ottawa to Nepigon, Lake Superior, about 760 miles.

The above distances are approximate. They are given for the general guidance of parties desiring information. Any increase or diminution in the ascertained mileage after construction will be paid for or deducted, as the case may be, at a rate corresponding with the sum total of the tender.

Parties tendering must satisfy the Government as to their ability to carry out the work and maintain it for the specified time.

Proposals addressed to the Minister of Public Works will be received up to the 22nd day of July next.

By order,
(Signed) F. BRAUN, *Secretary.*

Department of Public Works, June 18, 1874.

MEMORANDUM.

Information to Parties proposing to Tender.

IT is deemed best to make no binding stipulations as to the form of proposal, so that parties tendering may be at liberty to state their own terms and conditions, leaving the Government to accept the offer which, in the interest of the public, may be found most advantageous.

At the same time it is considered advisable to furnish some data for the guidance of parties tendering, in order that proposals may be made on the same basis and be uniform in essential points.

The following is, therefore, with this object in view, submitted :—

1st. It is intended that the telegraph shall be built along the line to be adopted by the Government for the railway across the Continent.

2nd. The general character of the country to be traversed by the railway, is described in the Reports relating to the Exploratory Surveys, recently published.

3rd. The several routes now under consideration and survey, are also referred to in the above Report.

4th. When the route is adopted by the Government on any particular section, the line to be followed by the telegraph will be defined on the ground by the Government Officers.

5th. Through forest the timber must be cut down and completely burned (cleared) to a width of 2 chains (132 feet), to prevent injury to the telegraph from falling trees or fire. At the option of the contractor valuable timber may be cut in lengths, hewn, piled, and reserved at his risk.

6. Along the cleared ground a pack trail or road to be made for the purpose of carrying material for constructing the telegraph, and for effecting repairs.

7th. Through forest, the poles should be of moderately large dimensions and of the best available timber to be had in each locality.

8th. In prairie sections, when suitable timber for permanent poles cannot be obtained until the railway be constructed, and the means of conveying them from a distance thus provided, the poles may be of an average light description, and of such timber as can most conveniently be procured.

9th. In forest sections the poles may be erected 132 feet apart, and the wire to be used may be that known as No. 11.

10th. In prairie sections the poles may be erected 176 feet apart, and the wire to be used may be that known as No. 9.

11th. Each tender will specify the kind of insulator, as well as all other apparatus and materials proposed to be used.

12th. Parties tendering may stipulate for maintaining and operating the line for five years, or a longer period.

13th. On account of the difficulties in the way of transporting building material, it is not expected that the telegraph will, in the first place, be so permanently constructed as could be desired. The main object, however, is to provide a pioneer line throughout the whole extent of the country, to assist in the building of the railway and settlement of the country. On the completion of the railway through any section, the telegraph may then be reconstructed under new arrangements.

14th. In the advertisement the sections are placed in the order in which parties tendering may propose to finish the erection of the telegraph, and they are at liberty to make a distinct proposal for each separate section or for the whole line.

15th. The whole of the section between Lake Nipissing and Fort Garry is wooded, with the exception of about 30 miles of prairie east of the Red River.

16th. Between Fort Garry and Fort Pelly the country is partly wooded and partly prairie, the exact proportions are not yet known.

17th. Between Fort Pelly and Edmonton the country is prairie.

18th. Between Fort Edmonton and the telegraph system in British Columbia the country is generally wooded, although some mixed prairie and woodland is met west of Fort Edmonton, as well as unwooded bunch grass land in portions of the central plateau of British Columbia.

19th. In the valley of the River Thompson there is a growth of timber from 6 to 10 feet diameter. It will not be necessary to clear in that locality to the full width of 132 feet, it will be sufficient to clear and burn up the underbrush and lower branches of the trees, so as to render the telegraph secure from danger.

20th. The advertisement describes the 6th section as extending from Nepigon to Ottawa; but the object being to connect the Pacific telegraph line with the Seat of Government, it will be sufficient to make a connection with the system of Ontario at the most convenient point. It is reported that a telegraph line will be completed to the south-east angle of Lake Nipissing before the close of this season. The distance from Lake Nipissing to Nepigon is about 420 miles.

21st. It should be understood that Section No. 1 is embraced in Section No. 2, and both are covered by Section No. 3.

22nd. Tenders should give a distinct rate per mile for the line through wooded and prairie land respectively for the sections where both exist.

Department of Public Works, June 18, 1874.

No. 9.

The Earl of Dufferin to the Earl of Carnarvon.—(Received July 22.)

My Lord,

Quebec, July 9, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 18th June,* in which you refer to the misunderstanding that has occurred between the Dominion Government and that of British Columbia, and in which you have made so considerate a suggestion in regard to the settlement of the dispute. In accordance with your instructions I have forwarded a copy of the despatch to the Lieutenant-Governor of British Columbia, and I have also communicated it to my Government. There has not yet been time for them to acquaint me with their view in regard to the friendly suggestions your Lordship is good enough to convey; but in connection with the subject matter to which the despatch under acknowledgment refers, I have the honour to inclose for your Lordship's information a memorandum of a Committee of Council on the points in dispute between the Dominion Government of British Columbia, together with a report by Mr. Edgar of his mission to that province, accompanied by copies of his correspondence with Mr. Walkem, the Attorney-General of British Columbia.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 9.

THE Committee of Council after due deliberation consider that the proposed mission of Mr. Walkem, Attorney-General of British Columbia, to England on behalf of the Government of that province, to complain to the Imperial Government of the non-fulfilment, by the Dominion Government, of the terms of union, and the telegraphic message of the Right Honourable the Secretary of State for the Colonies with reference to the said mission, in which his Lordship has most considerately offered his good offices in arriving at some understanding between British Columbia and the Dominion, render it desirable that a brief statement should be submitted showing the position of the question and the action taken by the present Government of Canada in relation thereto.

The Order in Council under which British Columbia was admitted into the Union, provided in the 11th section that:—

“The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further to secure the completion of such railway within ten years from the date of the Union.”

The passage of such a provision was very strongly opposed in Parliament, the Government of the day securing only a majority of ten in support of the measure. In order to induce even this majority to sustain them, the following resolution was proposed and carried by the Government.

“That the railway referred to in the Address to Her Majesty concerning the Union of British Columbia with Canada, adopted by this House on Saturday, the 1st April instant, should be constructed and worked by private enterprise, and not by the Dominion Government; and that the public aid to be given to secure that undertaking, should consist of such liberal grants of land, and such subsidy in money, or other aid, not increasing the present rate of taxation, as the Parliament of Canada shall hereafter determine.”

The late Government were compelled, by their followers in the House, to adopt this Resolution regarding the taxation consequent on the obligation to build the railway, as the condition of obtaining their support. Even with this qualifying Resolution promised the section respecting the railway was carried, but by a majority of ten, the usual majority being from fifty to seventy.

It is impossible to conceive how such terms could ever have been proposed, as it was quite clear to every person that they were incapable of fulfilment, especially as the British Columbia Legislature never asked such extravagant terms. The clause of the terms adopted by that body, having reference to the railway, was as follows:—

"Inasmuch as no real union can subsist between this Colony and Canada, without the speedy establishment of communication across the Rocky Mountains by coach-road and railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such coach-road from some point on the line of the Main Trunk Road of this Colony to Fort Garry, of similar character to the said Main Trunk Road; and shall further engage to use all means in her power to complete such railway communication at the earliest practicable date; and that surveys to determine the proper line for such railway shall be at once commenced, and that a sum of not less than 1,000,000 dollars shall be expended in every year from and after three years from the date of Union, in actually constructing the initial sections of such railway from the seaboard of British Columbia, to connect with the railway system of Canada."

Mr. Trutch, the Delegate of the British Columbia Government, present in Ottawa during the discussions on the terms of Union, expressed himself as follows, at a public meeting, in order to reassure those who were apprehensive of the consequences of so rash an assumption of such serious obligations:—

"When he came to Ottawa with his co-delegates last year, they entered into a computation with the Privy Council as to the cost and time it would take to build the line; and they came to the conclusion that it could be built on the terms proposed in ten years. If they had said twelve or eighteen years, that time would have been accepted with equal readiness, as all that was understood was, that the line should be built as soon as possible, British Columbia had entered into a partnership with Canada, and they were invited to construct certain public works; but he, for one, would protest against anything by which it should be understood that the Government were to borrow 100,000,000 dollars, or to tax the people of Canada and British Columbia to carry out those works within a certain time (loud cheers.) He had been accused of having made a very Jewish bargain; but not even Shylock would have demanded his pound of flesh, if it had to be cut from his own body (laughter and cheers)."

These expressions show very clearly that the terms agreed to were directory rather than mandatory, and were to be interpreted by circumstances, the essence of the engagement being such diligence as was consistent with moderate expenditure, and no increase in the then rate of taxation.

When the present Government assumed office in November 1873, the condition of affairs regarding the railway was as follows:—A sum of over a million of money had been expended in prosecuting the surveys, over one-half of which was spent in British Columbia, but the engineers had not been able to locate any portion of the line.

A Company, under the Presidency of Sir Hugh Allan, had been formed by the late Government to construct the line. That Company had undertaken to complete the railway for a grant of 30,000,000 of money, and a grant of 20,000 acres of land per mile, retaining possession of the railway when built as their own property. The President and a delegation of the Directors of this Company had visited England to make financial arrangements to enable them to commence the work of construction. Their mission proved a total failure; so much so that soon after the return of Sir Hugh Allan and his co-delegates from England they relinquished their charter, and the Government repaid them the sum of 1,000,000 dollars, which had been deposited with the Receiver-General under the terms of the agreement.

The British Columbia Government had also complained that the commencement of the works of construction had not been made within the time provided; Sir John Macdonald, however, giving an informal opinion that the terms as to commencement were sufficiently and substantially kept by the active prosecution of the surveys.

This Government had, therefore, to provide some other method for the carrying out of the work, to endeavour to keep substantially good faith with British Columbia, to avoid further taxation, and, if possible, secure the consent and co-operation of the Government and people of British Columbia.

The new Bill, which has since become law, was prepared, which enables the Government (with the approval of Parliament) to get the work executed in one or several contracts, by a Company or Companies, which may or may not become proprietors of the line after it is constructed.

Mr. James E. Edgar was dispatched on a special mission to the Province of British Columbia, charged to confer with the Government, and also to visit all classes or parties, and ascertain their views, and to submit any proposal he might be directed to make to the local authorities, or to receive any proposition from them, and forward the same to Ottawa for consideration. A copy of the instruction sent to Mr. Edgar, and copies of certain telegrams already forwarded, and Mr. Edgar's Report, accompanying this Minute, explain sufficiently the nature and result of Mr. Edgar's mission. It was at

first expected that a good understanding would be arrived at, and, judging from circumstances, local political complications alone prevented some arrangement being come to.

The reason alleged for refusing to consider the proposition Mr. Edgar was finally directed to make, that Mr. Edgar was not accredited by this Government, was evidently a mere technical pretence. All that Mr. Edgar had to do was simply to present the proposals and ascertain on the spot whether they would be entertained by the Government. If satisfactory to them the Dominion Government would, as a matter of course, have had them sanctioned in due form, or, if any counter propositions had been made, instructions would have been given to Mr. Edgar concerning them.

The propositions made by Mr. Edgar involved an immediate heavy expenditure in British Columbia not contemplated by the terms of the Union, namely, the construction of a railway on Vancouver Island from the Port of Esquimalt to Nanaimo, as compensation to the most populous part of the Province for the requirement of a longer time for completing the line on the mainland. The proposals also embraced an obligation to construct a road or trail and telegraph line across the continent at once, and an expenditure of not less than 1,500,000 dollars within the Province annually on the railway works on the mainland, irrespective of the amounts which might be spent east of the Rocky mountains, being 500,000 dollars more than the entire sum British Columbia demanded in the first instance as the annual expenditure on the whole road.

In order to enable the Government to carry out the proposals which it was hoped the British Columbia Government would have accepted, the average rate of taxation was raised at the late session about 15 per cent., the Customs duties being raised from 15 per cent. to 17½ per cent., and the excise duties on spirits and tobacco a corresponding rate, both involving additional taxation exceeding 3,000,000 dollars on the transactions of the year.

The public feeling of the whole Dominion has been expressed so strongly against the fatal extravagance involved in the terms agreed to by the late Government, that no Government could live that would attempt, or rather pretend to attempt, their literal fulfilment. Public opinion would not go beyond the proposal made through Mr. Edgar to the Government.

There is also reason to believe that local political exigencies alone induced the Government of British Columbia not to entertain these proposals.

Since these propositions have been before the people, meetings have been held on Vancouver Island, and on the mainland, when the action of the Local Government was condemned, and a call made to accept the proposals offered. A very influential portion of the local press has also declared in favour of the course pursued by the Dominion Government.

It may not be out of place to mention that the action of the Dominion Government, regarding the graving dock, shows a desire on their part to do everything that can fairly be asked, whether there be an obligation or not under the terms of Union. The Dominion was only bound to guarantee the interest on 100,000*l.* sterling at 5 per cent. for ten years after the dock should be constructed. The Local Government found it impossible to obtain any contractor to undertake the work on the terms they were able to offer, based on the Dominion guarantee, and they solicited this Government to assist otherwise. This was agreed to and Parliamentary authority was obtained at the late session to enable the Governor-General in Council to advance 250,000 dollars in cash as the work progressed.

The report of Mr. Edgar will fully explain the object and effect of his mission as the agent of the Government. The Committee advise, therefore, that a copy of the said Report and Appendices be transmitted to the Right Honourable Lord Carnarvon, Secretary of State for the Colonies, with this Minute.

(Signed)

A. MACKENZIE.

Inclosure 2 in No. 9.

Toronto, June 17, 1874.

To the Honourable the Secretary of State for Canada :

Sir,

I HAVE the honour to report that in the month of February last I was requested by the Canadian Government to proceed to the Province of British Columbia on their behalf. My mission was for the purpose of ascertaining the true state of feeling in the Province upon the subject of certain changes which were deemed necessary in the mode and the limit of time for the construction of the Canadian Pacific Railway, as well as to attend to any other business required, and to act as Canadian Agent in bringing about

some such feasible arrangement as might meet the general approval of the Local Government and the people of British Columbia, in place of the original conditions respecting the commencement and completion of the railway that are contained in the XIth Article of the terms of the Union. In that clause the language referring to railway construction is as follows:—"The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and, further, to secure the completion of such railway within ten years from the date of the Union."

The views and policy of his Government upon the question of the Canadian Pacific Railway were communicated to me in several interviews by the Honourable Mr. Mackenzie; and I also had the benefit of conversations upon the same subject with many members of the Administration before I left Ottawa. On the eve of my departure I received from Honourable Mr. Mackenzie certain further instructions and directions for my guidance, which were contained in the following letter:—

"My dear Sir,

"Ottawa, February 19, 1874.

"In your conversation with leading men in and out of the Government in Columbia it will be well to let them understand that, in proposing to take longer time than is provided for constructing the railway, we are actuated solely by an urgent necessity; that we are as anxious as possible to reach the object sought by all, viz., the construction of the road.

"We are, however, advised by our engineers that it is a physical impossibility to construct the road in that time, that is, within the time provided by the terms of Union, and that any attempt to do so can only result in very great useless expense and financial disorder. You can point out that the surveys for the Inter-colonial Railway were begun in 1864, and the work carried on uninterruptedly ever since, and although the utmost expedition was used it will still require eighteen months to complete it. If it required so much time in a settled country to build 500 miles of railway, with facilities everywhere for procuring all supplies, one may conceive the time and labour required to construct a line five times that length through a country all but totally unsettled.

"You will point out that it is because we desire to act in good faith towards Columbia that we at once avow our inability to carry out the exact conditions of the terms of Union that it would have been an easy matter for us to say nothing about, or carelessly to have assumed, the task of finishing the road before the month of July, 1881.

"Acting, however, from a desire to deal frankly and honestly with British Columbia, we considered what we could do to afford at the earliest possible date some means of travel across the continent preliminary to, and in advance of, a complete line of railway.

"You will point out that, as part of the Dominion, it is as much in their interests as in ours to pursue a careful judicious policy, also that in assuming a disposition, in spite of all reason, to insist on impossibilities, they are only setting at defiance all the rest of the Dominion and the laws of nature. That by insisting on 'the pound of flesh' they will only stimulate a feeling on the part of people generally to avoid in future giving anything but 'the pound of flesh.'

"You will remember that the Dominion is bound to reach the 'seaboard of the Pacific' only, not Victoria or Esquimaux, and you will convey an intimation to them that any further extension beyond the head waters of Bute Inlet, or whatever other portion of the sea waters may be reached, may depend entirely on the spirit shown by themselves in assenting to a reasonable extension of time, or a modification of the terms originally agreed to.

"You will also put them in remembrance of the terms they themselves proposed, which terms were assented to by their local Legislature, and point out that it was only by the insane act of the Administration here, which gave such conditions of Union to Columbia; that it could only have been because that Administration sought additional means of procuring extension of patronage immediately before the general elections, and saw in coming contracts the means of carrying the elections, that the Province obtained, on paper terms, which at the time were known to be impossible of fulfilment.

"If you find any favourable disposition among the leading men of the Province towards affording a generous consideration to the obvious necessity of giving a sufficient time for the pushing the road through Columbia, you will endeavour to ascertain what value they attach to such consideration. You will point out that the action of this

Government in the matter of the Graving Dock, and the agreement to advance in cash the balance of the amount of debt, with which Columbia was allowed to enter the Confederation, shewed that it was not considering itself bound to exact terms of Union, but was willing to go beyond them, when the necessities of the Province seemed to demand such action, and that we not unnaturally expect similar action on the part of the Province.

"In the event of your finding that there is a willingness to accept a proposition to extend the time for the building of the road, you will endeavour to obtain some proposition from them directly or indirectly, and communicate this to us by cypher telegraph at once."

"If on the other hand they make or indicate no proposition, you will telegraph to us what you think would be acceptable, but wait a reply before making a proposition."

"In the event of the leading men evincing a disposition to negotiate, you will endeavour to secure something like a combination of parties to sanction any proposition likely to be generally acceptable."

"It will be well that you should take some means of ascertaining the popular view of the railway question. This may be done by mingling among the people and allowing them to speak freely while you listen; remembering in taking impressions that your audience may be impressed by special local considerations rather than general questions."

"It will be well not to confine yourself to the vicinity of the Government Offices, or Victoria, but to cross to the mainland, and visit the people at Westminster, and other towns or villages on the lower reaches of the Fraser. It may be that you will find that there is a disposition manifested to negotiate at Ottawa, in which case you will advise us of the existence of such a desire. You will take care not to admit in any way that we are bound to build the railway to Esquimaux, or to any other place on the Island, and while you do not at all threaten not to build there, to let them understand that this is wholly and purely a concession, and that its construction must be contingent on a reasonable course being pursued regarding other parts of the scheme."

"It may be that the Local Government may desire to constitute the members for the Commons a delegation to discuss matters here; if this be the case you will still remain until we shall communicate with you."

"You will take every opportunity of noting the various matters connected with Dominion business in accordance with instructions that will be sent."

"I am, &c."

(Signed) "A. MACKENZIE."

"J. D. Edgar, Esq., Toronto."

When I received the above letter, I lost no time in starting upon my journey, and leaving Toronto, February 23rd, I arrived upon March 9th at Victoria, the capital of British Columbia.

On the day that I landed in Victoria, the Honourable Mr. Walkem, leader of the Local Government, called upon me, and I made him aware of the object of my mission. Upon the same day I handed him Honourable Mr. Mackenzie's letter of 16th February (Appendix A), also informing him that I had letters from his Excellency, the Governor-General, to his honour the Lieutenant-Governor, which were next day delivered. Very soon afterwards Mr. Walkem introduced me to his colleagues as the representative of the Canadian Government.

Upon my arrival in the Province, I found that an intense interest was manifested by all the population in whatever related to the question of railway construction. It is difficult at a distance to conceive the importance that is attached to the railway by the British Columbians. On account of the vast construction expenditure and the sparseness of the population, who would participate in the immediate benefits derivable from it, an interest of a direct and personal character is felt upon the subject.

The entire white population of the Province, according to the census of 1870, was 8,576 souls. Of this number there were upon the mainland 3,401, and upon Vancouver Island 5,175. The white population to-day has probably increased to 10,000. With the exception, perhaps, of the gold miners, who are confined to the mainland, there is no class in the province that would not derive immediate personal advantages from the railway construction expenditure. Those in business, in trade, and in agriculture would feel the stimulus instantly, while those of means and leisure would be enriched by the increase in the value of their property.

The circumstances of the early settlement of the province gave it a population of peculiar intelligence; and the fact that most of the rougher kind of labour is performed

by Chinamen and Indians, has afforded in an especial way to the people of Victoria, the provincial metropolis, leisure and opportunity for the fullest discussion of this great question of the day. Their keen intelligence and zeal in public affairs suggests a parallel in the history of some of the minor States of ancient Greece or Italy. Although a strong feeling of jealousy of the greatness of Victoria undoubtedly exists in parts of the mainland, yet that town is the chief centre of public opinion. Its population is almost equal to the whole of the rest of the Province, and in its midst are the headquarters of Government, of the Courts, of the Churches, and of trade.

Within three miles there is the fine harbour of Esquimaux, with its arsenal and British ships of war.

To Victoria the question of the location of the railway terminus is all important, because there is nothing in the terms of Union which settles that there shall be any portion of the line upon Vancouver Island; a revocable Order in Council, and the intrinsic merits claimed for the Island location, are the grounds upon which they hoped to secure the terminus at Esquimaux. When it became well understood that the surveys were not yet so far advanced as to warrant the Canadian Government in fixing the permanent route and western terminus of the railway, it was strongly urged upon me by many persons in Victoria that the construction of a line of railway should be at once undertaken by the Dominion from the harbour of Esquimaux to the port of Nanaimo, on the east coast of Vancouver Island, a distance of about seventy miles. It was argued that at whatever point upon the mainland the Pacific Railway might be brought to the coast, a steam ferry thence to Nanaimo might be established, and would render this portion of railway a means of connection with Esquimaux, which is said to be the finest harbour upon the shores of the Northern Pacific. It was also insisted that from its opening there would be a considerable and profitable traffic over this line in the carriage of coal to Esquimaux from the mines of Nanaimo and Departure Bay. Moreover it was contended that in view of the admitted impossibility to complete the construction of the trans-continental railway within the time originally limited, some substantial concessions should be made to the people of the Island as compensation for their disappointment and prospective losses.

A contention similar to the last mentioned one was also pressed upon me warmly by leading men of the mainland, who considered that they were now entitled to have some definite understanding arrived at, not so much in regard to the ultimate completion, as to the early, vigorous, and continuous construction of the railway upon the mainland.

It was represented that those engaged in agriculture and stock-raising in the interior parts of the country, were almost without a market for their produce, partly because the gold miners were leaving in considerable numbers, and partly for the reason that in anticipation of railway construction they had raised more crops than usual. The great distance to the coast, and the stupendous mountain-ranges to be traversed, prevented them from getting the bulky products of their land to the island markets of Victoria or Nanaimo.

Being familiar with the difficulties to be met with by engineers in seeking for a railway route through their country, the mainland people were not disposed to blame the Dominion for insisting upon further time and surveys before fixing the location. Their immediate necessities also induced them to attach more importance to the securing of an early and steady expenditure amongst themselves than to the maintaining of any arbitrary time limit for completion; while they also expressed their perfect appreciation of the argument that a vigorous expenditure of itself involves an accomplishment of the work within a reasonable period.

In the Provincial Constitution of British Columbia, the working of representative institutions and responsible Parliamentary Government may be studied in a simple form. The system is elaborated out of, perhaps, slender materials, but has been courageously fashioned after the model of the British Constitution. The people are represented by a House of twenty-five members, of whom thirteen are elected from the mainland, and twelve from the island. In this House sit the Ministers of the Crown, four in number, two being island Members, and two from the mainland. The deliberations are presided over by a Speaker; and due respect for the dignity of the Assembly is maintained by a Serjeant-at-arms.

Although I had not the fortune to be in the country when the House was in Session, I was able to discover among the gentlemen who hold seats, a considerable number of much experience, and somewhat above the average intelligence of Provincial Legislators. To those accustomed to older Canadian constituencies, each with populations varying from 15,000 to 30,000 souls, it is somewhat novel to see the smallness of electoral

districts in British Columbia. Yet it would be quite unfair to fix the number of electors as the standard of intelligence of the representative, for one of the ablest of the Provincial Ministers, after an exciting contest at the last election, succeeded in polling but sixteen votes in his constituency, whilst his opponent suffered a decisive defeat, having polled exactly half that number.

The Session of the Provincial Legislature had terminated on the 2nd March, a week before my arrival; and the House had unanimously agreed to a Resolution upon the subject of the Eleventh or Railway Clause, in the terms of Union with the Dominion, which was calculated to have an important bearing upon all negotiations with the local Government for a change in that clause. The language of the Resolution is as follows:—"That in view of the importance of the Railway Clause of the terms of Union between Canada and British Columbia being faithfully carried out by Canada, this House is of opinion that no alteration in the said Clause should be permitted by the Government of this Province, until the same has been submitted to the people for their endorsement." When I ascertained that this Resolution had been passed, that the Provincial Parliament had yet more than a year to run, and that the Ministry had in it a sufficient working majority, it at once became apparent that any proposals to alter the Railway Clause could possess few attractions in the eyes of the party in power. While prepared to admit that the Province would be most reasonable, and would not be disposed to insist at all upon the original time limit for completion, yet Members of the Administration, looking at it from their own point of view, naturally urged that this was a peculiarly unfortunate time to seek any alterations, I also discovered that the first Act of the Provincial Statute-Book of 1873-74, contained elements of danger to the continued harmony between the General and Local Governments.

This Act became necessary to authorize the Provincial to receive from the Dominion Government the large sums of money, both for the Esquimaux Graving Dock, and for other public works which the Local Government petitioned the Dominion Government to advance, and which requests the latter complied with as concessions to the Province in excess of what could be claimed under Articles 2 and 12 of the Terms of Union. A saving clause or proviso was inserted in this Act, containing very strong language concerning the rights and wrongs of British Columbia as regards the railways, adding, "This Act shall not have any force or effect unless the above proviso be inserted, in the same words, in any Act of Parliament of Canada, which may be passed for the purposes of this Act."

A profound anxiety was at once manifested by Mr. Walkem and his colleagues to ascertain, through me, if the Canadian Ministry would propose to Parliament to adopt the words of this proviso. When I sought to get from them some proposals or suggestions as to their opinion of the concessions that should be made to British Columbia, in consideration of a change in the Railway Terms, I was continually met by an urgent inquiry as to what was to be done about that clause. As early as the 16th of March, I was informed by telegram, that the Dominion Government would not adopt the language of the proviso in their Bill, but would make the concessions as originally agreed, and without conditions affecting the Railway Terms. The announcement of this was received by the Local Ministers with alarm and disappointment; and it afterwards became still more difficult to get a satisfactory discussion of an alteration of Railway Terms with any of them. Orders in Council were passed by the Local Government upon the subject, and I was continually urged to press upon the Dominion Government the anxiety of the Provincial Ministry for the adoption of the saving clause; and I took many opportunities of doing so. This pressure continued, without intermission, until the 25th of April, when, at the request of Mr. Walkem, I sent a despatch to Mr. Mackenzie on behalf of the former, and in his own language, urging the adoption of the saving clause.

When, according to instructions, I endeavoured to ascertain from Local Ministers if their unwillingness to submit proposals as to the railway to the people arose entirely from our refusal to adopt the saving clause, I found that even such a concession would not induce them to bring about an appeal to the people.

According to instructions received, it was my aim, from the very first, to take every means of ascertaining the popular view of the railway question. Indeed, when it was understood that the Canadian Government had delegated me upon this and general matters, the politeness and hospitable attention of all classes soon rendered it an easy matter to form some estimate of public opinion. All were as willing to communicate, as I was anxious to receive, their various views and information. I paid two brief visits to the Mainland, meeting with people of New Westminster, Hope, Yale, and some few other places; and I was so fortunate as to meet, at one time or another, nearly

all the members of the Local Legislature, and many other persons of local prominence from the Mainland.

The Lieutenant-Governor and the Honourable Captain Hare, Senior Naval Officer at Esquimaux, kindly afforded me an opportunity of visiting the east coast of the island in company with them on board Her Majesty's ship "Myrmidon."

In discussing the question of the time for the completion of the railway, I elicited a very general expression of opinion that there was no great importance attached to any particular period for completion, but that serious disappointment had been felt at the failure to commence the work of actual construction by July of last year. Much anxiety was felt for an announcement of the policy of Canada upon the subject of the railway, and an extreme desire prevailed to have a definite understanding arrived at, as to what the Province could expect in place of the original railway terms which were all but universally admitted to be incapable of literal fulfilment.

The public agitation in Victoria of February last might have been mistaken for a movement to insist upon "the terms, the whole terms, and nothing but the terms," or to seek some disloyal alternative. Indeed, a portion of the community who did not sympathise with the excitement so interpreted it. Yet I was assured by the leaders of that agitation that no such motives or intentions influenced them. The people had been aroused by what were deemed suspicious circumstances to fear that efforts would be made, or were being made, to secure from the Local Government an agreement to change the railway terms without a submission to the people who had directly sanctioned the original terms. The local contradictions had scarcely been accepted as satisfactory upon this point, but my denial of it on the part of the Ottawa Government, coupled with the announcement that the latter would not seek to secure any alteration without the sanction of the people of the Province, set that difficulty very much at rest.

Notwithstanding the attitude that was assumed by the Provincial Government against the submission of a proposal, or the opening of negotiations to alter the railway terms, it was quite apparent that popular feeling all over the Province was strongly in favour of some definite settlement being arrived at upon the question. The notorious and admitted failure of the original scheme of railway construction had unsettled the business of the country, and the whole community, including even those who would have been the most exacting in bargaining with Canada for new terms, were anxious to have a proposal made, and to have a full opportunity for discussing and accepting or rejecting it.

I felt, therefore, that I should take an early opportunity of arriving at the views of the Local Government upon the subject. I was given an appointment by Mr. Walkem in the first week of April, and then confidentially discussed with his Ministry the whole question of alteration in the railway terms. I may mention that, upon this occasion, no difficulty was raised as to my authority to represent the General Government.

At this time there was considerable irritation displayed by Ministers upon the subject of the saving clause before alluded to; they would not admit any necessity for a present settlement of the railway question, but still persisted that next year, or some future time, should be awaited for the making of any such propositions; and they were particularly careful to avoid saying what concessions, in their opinion, would be acceptable to the Province, in lieu of the original terms.

The attitude of the Local Ministry rendered it more important than ever that the popular feeling should be accurately ascertained, and it was my aim to discover it by unreserved discussion with as many men as possible of the different parties and localities.

It was now quite apparent that the Local Ministers were determined to be obstructive, and it became all the more necessary to satisfy the people in so far as their views were found to be reasonable. After receiving from me the best information I could supply, Honourable Mr. Mackenzie directed me to make the Provincial Government certain proposals which were so arranged as to give large and certain advantages to the Mainland equally with the Island, and on the 6th of May I was instructed to put them formally in writing and give them to the Local Premier, and a copy to the Lieutenant-Governor. Upon the 8th May I had prepared, and I read over to Mr. Walkem, the letter of that date, containing the proposals (Appendix B), and upon the following day I handed it to him, and furnished a copy to his Honour the Lieutenant-Governor as directed, accompanied by a short note (Appendix C). I had made arrangements for another visit to the Mainland to ascertain something more of the feeling there while the Provincial Government were having the proposal under consideration.

Before sailing for New Westminster, however, I received the letter from Mr. Walkem

(Appendix D), in which he raised objections to recognize me as the Agent of the General Government.

It struck me as so peculiar a communication on Mr. Walkem's part, after he and his colleagues had recognized me as such Agent almost every day for two months, that I felt it would be better not to be too hasty in accepting that as a serious and final reply to the proposals, but to avoid the lapse of a few days to be occupied by me in visiting New Westminster, Burrard's Inlet, Yale, and some other places on the Mainland. Upon returning to Victoria, on Saturday, 16th May, I was waited upon by a deputation of leading gentlemen, connected with both sides of local politics, who informed me that it had been announced in the House of Commons at Ottawa by the Honourable Mr. Mackenzie, that proposals had been made on behalf of his Ministry, through myself, to the Provincial Government, as to the alteration of the railway terms, and yet that it was denied by members of the Local Ministry, and by their newspaper organ, that any proposals whatever had been made.

They represented that the popular feeling was very much excited upon the subject, and that the people were anxious to have the earliest opportunity of considering and deciding upon the question, and I was asked to inform them whether such proposals had been made. Upon receiving an affirmative reply, they took their leave, and shortly afterwards, as the intelligence spread, considerable excitement was manifested at the treatment the proposals were receiving at the hands of the Local Ministers. In order to afford Mr. Walkem another opportunity to reply to the proposals, or to consider them, if he were at all desirous of doing so, I again addressed him, and in a letter of 18th May (Appendix E), endeavoured to point out that he could not ignore the communication of the 8th May, and reiterated the request, on behalf of the Government of Canada, that the proposals should receive the consideration to which they were entitled. In reply to this, I received the letter (Appendix F); and upon the 19th May, under directions from the Honourable Mr. Mackenzie, I left Victoria upon my return journey, without any further official communication with the Local Ministry.

I may be permitted to mention that his Honour the Lieutenant-Governor, throughout the whole of my visit, was always most obliging in giving me, upon all public questions, very full information, which his large experience in the Province rendered of the highest value. He also manifested an earnest wish to see a definite and amicable settlement of the Railway Question speedily arrived at between the General and the Provincial Governments.

In accordance with the direction contained in the last paragraph of the Honourable Mr. Mackenzie's letter to me of the 19th February, I took every opportunity during my stay in British Columbia of noting various matters connected with Dominion business and interests in several despatches to Heads of Departments, as well as in verbal communications with Ministers, I have already called attention to some important subjects of that kind; and I propose to have the honour of communicating in separate reports or despatches upon several other points of interest and importance connected with Dominion affairs in the Pacific Province.

I have, &c.
(Signed) J. D. EDGAR.

Appendix (A).

Dear Sir.

Ottawa, February 19, 1874.

ALLOW me to introduce Mr. James D. Edgar, of Toronto, who visits your Province on public business for the Government. Mr. Edgar will confer with yourself and other Members of the Government of Columbia on the questions lately agitating the public mind in Columbia, and will be glad to receive your views regarding the policy of the Government on the construction of the railway.

But for the meeting of Parliament in four weeks, some Members of the Government would have visited your province, but Mr. Edgar, as a public man, is well known here, and fully understands the questions he will discuss with you.

I need not, I am sure, assure you of my sincere desire to do all I can to not only act justly but generously to Columbia.

It is in your interest and in the interest of the Dominion that we should both act with a reasonable appreciation of difficulties which are unavoidable, and devise means to remove them or overcome them.

We have induced Mr. Edgar to go to Columbia, as we thought you would prefer a full Conference with an agent to a tedious and possibly unsatisfactory correspondence.

I am, &c.

(Signed) A. MACKENZIE.

Hon. G. A. Walkem, Attorney-General,
Victoria, British Columbia.

Appendix (B).

Victoria, British Columbia, May 8, 1874.

Honourable Geo. A. Walkem, M.P.P., Attorney-General, &c., &c.:
Sir,

I HAVE the honour to inform you that I have been instructed by the Premier of Canada to make you aware of the views of his Administration upon the subject of the construction of the Canadian Pacific Railway, in order that British Columbia may have full opportunity of considering and deciding upon a question so closely affecting her material interests. The scheme originally adopted for the carrying out of this work has, for a variety of reasons, proved unsuccessful, and to devise a plan for its more certain accomplishment, has been the aim of the Dominion Cabinet. The chief difficulty to be encountered in attempting to carry out the existing system of construction, is to be found in the stipulation as to completion of the railway by the month of July 1881. In proposing to take a longer time for constructing the railway, the Canadian Government are actuated solely by an urgent necessity. They are advised by their engineers that the physical difficulties are so much greater than was expected, that it is an impossibility to construct the railway within the time limited by the terms of Union, and that any attempt to do so can only result in wasteful expenditure and financial embarrassment. It is because they desire to act in good faith towards British Columbia, that the Canadian Ministry at once avow the difficulty of carrying out the exact terms of Union, whilst they have no desire to avoid the full responsibility of Canada to complete the railway by all means in her power, and at the earliest practicable date.

The 11th Article of the terms of Union embodies the bold proposition that the railway should be commenced in two, and completed in ten years, from the date of Union, to connect the sea-board of British Columbia with the railway system of Canada. Feeling the impossibility of complying with this time limit for completion, the Government is prepared to make new stipulations, and to enter into additional obligations of a definite character for the benefit of the Province. They propose to commence construction from Esquimault to Nanaimo immediately, and to push that portion of railway on to completion with the utmost vigour and in the shortest practicable time.

The engineering difficulties on the mainland have unfortunately turned out to be so serious that further surveys must necessarily be made before the best route can be determined upon. The Government have already asked Parliament for a large sum for the purpose of carrying on these surveys, and no expenditure will be spared to achieve the most speedy and reliable selection of a permanent location of the line upon the mainland. It is useless to propose an actual construction being undertaken before the location has been determined upon; but, in order to afford as much benefit from the works of construction from the very first as can possibly be derived by the people of the interior, the Government would immediately open up a road, and build a telegraph line along the whole length of the railway in the Province, and carry telegraph wire across the Continent. It is believed that the mere commencement to build a railway at the sea-board, as stipulated for in the existing terms, would give but little satisfaction to the producers living on the east side of the Cascade Mountains, who would be unable, without a road being first constructed, to find a market all along the whole extent of the railway wherever construction was progressing. It would then be the aim of the Government to strain every nerve to push forward the construction of the railway; and they would endeavour at the same time so to arrange the expenditure, that the legitimate advantages derivable from it would, as much as possible, fall into the hands of our own producers. In addition to constructing the road to facilitate transport along the located line, they are anxious to avail themselves of the large supplies of all kinds of provisions now existing, or capable of being produced, in the interior; and would proceed from the very first with all the works of construction in that portion of the country that their engineers could sanction.

It is to be observed that, while the terms of Union contemplated the completion of the whole railway within a certain number of years, they made no provision for any certainty of expenditure in any particular time, or in any particular portion of the line. To predicate the highest expenditure, which in any one year might be warranted in any particular portion of a great work like this, is certainly difficult; and it is still more difficult to arrive at the lowest fixed annual sum which, in every year and under all circumstances, might be judiciously expended as a minimum in local construction. To a country like British Columbia, it is conceded, however, to be an important point that not only the prompt and vigorous commencement, but also the continuous prosecution of the work of construction within the limits of the Province should be guaranteed.

In order, therefore, to secure an absolute certainty in this direction, and although the length of the line falling within the Province is estimated at only about one-fifth of the whole length, the Dominion Government are disposed to concede to British Columbia that the moment the surveys and road in the mainland can be completed, there shall be in each and every year, and even under the most unfavourable circumstances, during the construction of the railway, a minimum expenditure upon works of construction within the Province of at least 1,500,000 dollars. That this will secure the continuous progress of the works in the Province without any intermission is quite apparent; and it must also be perfectly clear that so large an annual sum could not be expended by any Dominion Administration in a remote district without holding out to the country some early prospect of a return for it, and at the same time showing that they were proceeding with the works with sufficient rapidity to bring the investment into an early condition to earn something. In reference to this point, I may be permitted to refer to the fact that the Delegates from British Columbia who negotiated the terms of Union, were instructed by the Provincial Legislature to accept an undertaking from Canada to build the railway with a guaranteed annual expenditure in the Province upon construction of 1,000,000 dollars, to begin at the end of three years after Union. We must assume that this guarantee of continuous construction was only abandoned by the Delegates upon a conviction of both the sincerity and feasibility of the offer of early completion that was made to them.

I trust that the proposals of the Dominion Cabinet, which I have sketched above, will be considered and accepted by British Columbia, as an earnest effort on the part of the former to carry out the spirit of the obligations to the Province.

The leader of the Canadian Government has instructed me to place these matters before you, as leader of the Provincial Administration, and, at the same time, to furnish a copy to his Excellency the Lieutenant-Governor.

The substance of these proposals has been sent to me by telegraphic cypher, and based upon that I have the honour of communicating them to you. The Dominion Government would be glad to have the consideration of this proposal entertained by your Administration, and to learn the conclusion of the Government of British Columbia upon the subject.

I have, &c.
(Signed) J. D. EDGAR.

Appendix (C).

Victoria, British Columbia, May 9, 1874.

His Excellency the Honourable Joseph W. Trutch, Lieutenant-Governor of British Columbia:

Sir,

I HAVE the honour to inform your Excellency, that in accordance with instructions from Honourable Alexander Mackenzie, leader of the Canadian Government, I have submitted to the Honourable G. A. Walkem, as leader of your Ministry, the views of the former upon the question of the Canadian Pacific Railway, with a view to the relaxation of the terms of Union so far as regards the time limited for the completion of the railway. I was at the same time instructed to furnish, for your Excellency's information, a copy, which I now have the honour to inclose, of the communication addressed by me to your Minister upon that subject.

I have, &c.
(Signed) J. D. EDGAR.

Appendix (D).

Sir,

Attorney-General's Department, Victoria, May 11, 1874.

I HAVE the honour to acknowledge the receipt on Saturday, the 9th instant, of your letter of the previous day's date.

In reply to your request that I should submit your proposals for a change in the railway clause of the terms of the Union to the Local Administration for their consideration and acceptance, I have the honour to inform you that I am not in a position to advise his Excellency the Lieutenant-Governor in Council to treat such proposals officially, nor can I tender such advice until I shall have been informed that you have been specially accredited to act in this matter as the agent of the General Government, and that they will consider your acts or negotiations in the matter binding upon them.

I have, &c.

(Signed) G. A. WALKEM, *Attorney-General.*

James D. Edgar, Esq., Victoria.

Appendix (E).

Victoria, May 18, 1874.

Honourable G. A. Walkem, Attorney-General, &c., &c.:

Sir,

I HAVE the honour to acknowledge having received your letter of the 11th instant just before leaving for the mainland.

I am sure you cannot have forgotten that letters from the highest dignitaries at Ottawa, which have been long ago delivered by me, both to his Excellency the Lieutenant-Governor and to yourself, have informed you that I came to this Province on behalf of the Dominion Government, and possessing their entire confidence. In my communication of the 8th instant, I stated most distinctly that I was making the proposals contained in it by the instructions and on behalf of the Canadian Ministry. You have, however, done me the honour of assuming that my statement was incorrect, and that I am acting without authority or instructions. I can afford to pass over without notice the personal insinuations, but I must most strongly protest against such extraordinary treatment of a document which emanates from the Government of Canada, upon a subject of such deep and pressing moment to British Columbia.

I have, therefore, the honour to request that the proposals of the Dominion Government may receive the consideration at the hands of the Provincial Administration to which such communications are entitled, and which the extreme importance of the subject demands.

I have, &c.

(Signed) J. D. EDGAR.

Appendix (F).

Victoria, May 18, 1874.

Sir,

IN reply to your letter of this date, I must express my surprise and regret that you should have taken umbrage at the contents of my letter of the 11th instant.

Mr. Mackenzie in an unofficial, and in his only, letter to me respecting your visit, has expressly narrowed and confined the object of your mission to the holding of a personal interview with my colleagues and myself in order that "our views regarding the policy of the Government on the construction of the railway" should be ascertained without "tedious and possibly unsatisfactory correspondence." I quote his words. These things having been done, the special aim desired, I may be permitted to think, has been attained by Mr. Mackenzie.

When, however, you proceed further and propose changes to this Government of the gravest importance to the Province, I must be pardoned for considering it my duty in my public capacity to ask for your official authority for appearing in the role of an Agent contracting for the Dominion of Canada. This information I have not yet received.

I have, &c.

(Signed) GEO. A. WALKEM.

James D. Edgar, Esq.

No. 10.

Mr. Walkem to the Earl of Carnarvon.

My Lord,

Cox's Hotel, Jermyn Street, July 28, 1874.

I HAVE the honour to inform your Lordship of my arrival last evening in London.

The object of my mission, as a Delegate from the Government of the Province of British Columbia to Her Majesty's Government has, so I have been informed, already been fully explained to your Lordship.

It, therefore, only remains for me to request your Lordship to honour me with a personal interview at the earliest hour which may prove convenient.

I have, &c.

(Signed)

GEO. A. WALKEM, *Attorney-General and President, Executive Council of Government of British Columbia.*

No. 11.

Colonial Office to Mr. Walkem.

Sir,

Downing Street, July 29, 1874.

IN reply to your letter of the 28th instant,* I am directed by the Earl of Carnarvon to inform you that he will be happy to see you at this office at 3.20 P.M. on Friday next, the 31st instant.

I am, &c.

(Signed)

R. H. MEADE.

No. 12.

Petition to the Queen from the Committee of the Executive Council of the Province of British Columbia.—(Received July 31.)

(Delivered to the Earl of Carnarvon by Mr. Walkem.)

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Committee of the Executive Council of the Province of British Columbia, in Council assembled, humbly approach your Majesty, for the purpose of representing:—

1. That, prior to the 20th day of July, 1871, British Columbia was a Crown Colony, having a Legislative Council, partly nominated by the Crown, and partly chosen by the people:

2. That, by section 146 of the "British North American Act, 1867," provision was made for the Union of British Columbia with the Dominion of Canada:

3. That, during the years 1868 and 1869, the subject of Union was much discussed in British Columbia, both in the Legislature and throughout the Colony; and a considerable conflict of opinion existed in relation to the question:

4. That, in obedience to your Majesty's commands, contained in a despatch (Appendix A) of the 14th day of August, 1869, from your Majesty's Principal Secretary of State for the Colonies to the Governor of British Columbia, the Governor in Council framed the "Proposed Terms of Confederation" (Appendix B), and in the month of February, 1870, submitted them to the Legislative Council, by whom they were approved:

5. That these Terms had not been directly submitted to the people for their sanction; and the Council that approved of them was at the time composed of thirteen members appointed by the Crown, and nine chosen by the people.

6. That the "Proposed Terms" were presented for consideration, through Delegates, to the Honourable the Privy Council of Canada, as the basis of an agreement for Union:

7. That, after full discussion between the Delegates of British Columbia and the

Committee of the Privy Council, it was mutually agreed that the said terms should be materially modified; and other Terms, hereinafter called the "Accepted Terms," (Appendix C), were substituted for those proposed; and such "Accepted Terms" commonly known as the "Terms of Union," now form the basis of Union between British Columbia and the Dominion:

8. That the main difference between the "Proposed Terms" and the "Accepted Terms" consists in the substitution and insertion of Article 11 in the "Accepted Terms" for Article 8 of the "Proposed Terms," which Articles are herewith submitted:—

Article 8 of "Proposed Terms."

"8. Inasmuch as no real union can subsist between this Colony and Canada without the speedy establishment of communication across the Rocky Mountains by coach road and railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such coach road from some point on the line of the main trunk road of this Colony to Fort Garry, of similar character to the said main trunk road, and shall further engage to use all means in her power to complete such railway communication at the earliest practicable date; and that surveys to determine the proper line of such railway shall be at once commenced; and that a sum of not less than 1,000,000 dollars shall be expended in every year, from and after three years from the date of Union, in actually constructing the initial sections of such railway from the seaboard of British Columbia, to connect with the railway system of Canada."

Article 11 of "Accepted Terms."

"11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of the Union.

"And the Government of British Columbia agree to convey to the Dominion Government in trust, to be appropriated in such a manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway throughout its entire length in British Columbia, not to exceed, however, twenty miles on each side of said line, as may be appropriated for the same purpose by the Dominion Government from the public lands in the North-West Territories and the Province of Manitoba. Provided, that the quantity of land which may be held under pre-emption right or by Crown grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided, further, that until the commencement, within two years, as aforesaid, from the date of the Union of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under right of pre-emption requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway the Dominion Government agree to pay to British Columbia, from the date of the Union, the sum of 100,000 dollars per annum, in half-yearly payments in advance."

9. That this substitution, affording assurance of *speedy railway communication* with the Eastern Provinces, was made to secure the acceptance of Confederation by the people of British Columbia:

10. That, it having been decided that the people of British Columbia should be directly consulted before the "Accepted Terms" became law, Your Majesty, in pursuance of the provisions of the "British Columbia Government Act, 1870," was graciously pleased, by an Order in Council of the 9th day of August, 1870, to so reconstitute the Legislative Council as to allow the electoral districts throughout the country to return a majority of members thereto :

11. That, under the new constitution of the Council, writs were issued for the election of members to serve therein, and the said "Accepted Terms" were duly submitted to the people for their consideration; and at the subsequent elections held to decide the question of Union, the provisions of Article 11 of the Terms of Union formed the main inducement to British Columbia to agree to enter into Confederation, and members were returned to support the adoption thereof :

12. That such "Accepted Terms" were, on the 23rd day of January, 1871, unanimously agreed to by the Legislative Council; and an humble Address to Your Majesty was at the same time passed, praying that Your Majesty in Council would be graciously pleased "to admit British Columbia into the Union or Dominion of Canada, on the basis of the terms and conditions offered to this Colony by the Government of the Dominion of Canada, which terms and conditions are those herein referred to as the "Accepted Terms:"

13. That similar Addresses to your Majesty on the same subject were passed by the Parliament of Canada, under the provisions of the 146th section of the "British North America Act, 1867:"

14. That, on the 16th day of May, 1871, your Majesty, in answer to the said Addresses, was graciously pleased to order and declare (Appendix D) that the Union between British Columbia and the Dominion should take effect on the 20th day of July, 1871—and British Columbia accordingly, became on that day, one of the Provinces of the Dominion of Canada, upon the basis of the "Accepted Terms," or Treaty of Union :

15. That, by Article 11 the Dominion undertook "to secure the commencement simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of the Union." And the Province, *in consideration thereof, and "in furtherance of the construction of said railway,"* agreed, first—to convey to the Dominion a belt of public land not exceeding twenty miles in width on each side of the railway in British Columbia; and, secondly—to withdraw all its public lands from sale or alienation, except under stringent pre-emption laws, for a period of two years, ending on the 20th day of July, 1873 :

16. That, accordingly, immediately upon Union, all lands of the Province were withdrawn from sale or alienation :

17. That, the Dominion Government informed the Provincial Government, by despatch dated the 10th of June, 1873, and by an inclosed Order of the Privy Council, Appendix E F (based "on a Memorandum of the 29th of May, 1873, from the Chief Engineer of the Canadian Pacific Railway"), that "Esquimalt, in Vancouver Island," had been "fixed as the Terminus of the Canadian Pacific Railway," and that it had been decided that "a line of railway be located between the Harbour of Esquimalt and Seymour Narrows, on the said island;" and they requested the Provincial Government to convey to the Dominion Government "in trust, according to the 11th paragraph of the Terms and Agreement of Union, a strip of land twenty miles in width, along the eastern coast of 'Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt.'"

18. That, on the 25th of July, 1873, the Minute of the Executive Council of British Columbia (Appendix G) relating to the conveyance of the land referred to, was passed and forwarded to Ottawa (Appendix H) on the following day; and the receipt thereof was acknowledged on the 26th August, 1873 (Appendix J) :

19. That, by that Minute the Provincial Government declined to convey the land referred to, until railway construction should be commenced, as provided by Article 11 of the Terms of Union; but agreed to reserve the said belt (which is coloured red on the accompanying chart of Vancouver Island), being a tract of most valuable land—about 3,200 square miles in extent, abounding in vast mineral wealth, and easy of access from the sea,—and this land was accordingly reserved by Order in Council (Appendix K L) on the 30th June, 1873, and by public notice on the day following; and has been ever since reserved :

20. That, on the 11th September, 1873, the Dominion Government intimated their concurrence in the course thus pursued by the Provincial Government, and "submitted (Appendix M N) that so long as the land which is referred to, is not alienated from the Crown, but held under reservation . . . the object of the Government of the Dominion will be attained, that object being, simply, that when the railway shall come to be constructed, the land in question shall be at the disposition of the Government of the Dominion, for the purpose laid down in the 11th section of the Terms of Union with British Columbia:"

21. That, on the 22nd September, 1873, the Provincial Government respectfully urged (Appendix O P) the Dominion Government to define, by survey, the belt of land referred to, as its reservation was seriously retarding the settlement of Vancouver Island; but to this request no other reply than a mere acknowledgment (Appendix Q) was sent:

22. That, on the 25th of July, 1873, the Provincial Government, by Order in Council (Appendix R) strongly protested against the breach of the 11th Article, no attempt at construction having been made up to that date; and such protest was forwarded, in despatch, to the Honourable the Secretary of State, at Ottawa, on the following day (Appendix S):

23. That, in the month of August, 1873, the Dominion Government simply acknowledged (Appendix T) the receipt of the protest of the 25th of July, 1873:

24. That, on the 24th November following, the Government of the Province again drew the attention of the Dominion, by despatch and minute of the Executive Council (Appendix U, V), to the protests which had been forwarded and not replied to; and the Dominion Government was requested to state its railway policy for the information of the Provisional Legislature. To this the indefinite reply (Appendix W), and no other, was received:

25. That, on the 9th of February, 1874, the Legislative Assembly of British Columbia unanimously protested against the breach of Article 11 of the Terms of Union, and respectfully urged upon Canada "the absolute necessity of commencing the actual construction of the railway from the seaboard of British Columbia early in the present year" (Appendix X); and this protest was, on the recommendation of the Executive Council, forwarded to Ottawa in a despatch of 25th February, 1874 (Appendix Y), and the receipt thereof was duly acknowledged, but no response thereto has been received (Appendix Z):

26. That, in the month of February, 1874, the Honourable Mr. Mackenzie, the Premier of Canada, addressed the letter (Appendix AA) to the Honourable Mr. Walkem, the Attorney-General of British Columbia, introducing Mr. J. D. Edgar as a gentleman who would "confer" with, and ascertain the views of, the Members of the Government of British Columbia respecting railway policy; and this letter was followed by the correspondence, official telegrams, despatches, and Orders in Council set forth in Appendix AA, BB, CC, DD, EE, FF, GG, HH, JJ, KK, LL, MM, NN, OO, PP, QQ:

27. That the character and the substance of the correspondence, telegrams, and despatches may be briefly stated as follows:

On the 8th day of May, 1874, Mr. Edgar addressed a letter to Mr. Walkem (Appendix EE), setting forth the views of Mr. Mackenzie's Administration upon the Railway Clause (Article 11) of the Terms of Union, and making certain suggestions for a change thereof, with a request that they should be considered by the Provincial Government.

As these suggestions gravely affected the interests, both of the Dominion and the Province, and as Mr. Edgar was not accredited by the Dominion Government to make such proposals, it was necessary to ascertain how far they would be binding upon that Government. Accordingly, telegrams were sent, one (Appendix KK) by the Provincial Government to the Secretary of State, and the other (Appendix MM) by Mr. Walkem to Mr. Mackenzie. The only reply was a telegram from Mr. Mackenzie (Appendix LL), which stated that his letter to Mr. Walkem sufficiently indicated Mr. Edgar's mission; and that he had recalled Mr. Edgar, and was awaiting his return and reports. The inquiry, as to whether Mr. Edgar had power to bind the Dominion Government remained wholly unanswered.

28. That Mr. Edgar's letter to Mr. Walkem is made important by a telegram of the 8th June, 1874, from the Premier of Canada (Appendix OO), which states that that the proposals in Mr. Edgar's letter had been made "on behalf the Dominion Government," and that they were now withdrawn. To this telegram the Provincial Government in substance replied, that it was the first direct communication they had

received that those proposals were authoritative, and that it seemed remarkable that, by the same communication they should be withdrawn (Appendix QQ) :

29. That in that letter the Dominion Government proposed "to commence the construction from Esquimalt to Nanaïmo immediately, and push that portion of the railway on to completion with the utmost vigour, and in the shortest practicable time," in consideration of British Columbia consenting to relinquish the definite term fixed in the Treaty of Union for the completion of the railway; and when "the surveys and a proposed waggon road on the mainland can be completed," to make "an annual minimum expenditure upon works of construction within the Province of, at least, 1,500,000 dollars;" and it further states that, "to a country like British Columbia, it is conceded, however, to be an important point, that not only the prompt and vigorous commencement, but also the vigorous prosecution, of the work of construction within the limits of the Province should be guaranteed:"

30. That the Dominion Government have no powers to expend public money in railway construction in British Columbia, except under authority of the "Canadian Pacific Railroad Act, 1874," which provides, *inter alia*, for the construction of a section viz., the fourth section of the said railway, to extend from the western terminus of the third section to some point in British Columbia on the Pacific Ocean :

31. That, unless Esquimalt on Vancouver Island be the western terminal point in British Columbia, on the Pacific Ocean, of the fourth section of the Canadian Pacific Railroad, the Dominion Government cannot expend any public money in the construction of a railway from such point, nor can they claim the reservation of the public lands on the east coast of Vancouver Island "for the purposes laid down in the 11th section of the Terms of Union:"

32. That the following is, as far as can be ascertained, an approximate statement of the exploratory surveys made:—

In 1871 and 1872 there were seven or eight parties engaged, and work was prosecuted with some vigour on the mainland of British Columbia.

In 1873 two parties left Victoria, as late as the 1st of July, for the interior, and returned in November, that is to say, having, exclusive of travelling time, been engaged in actual work for about three months only. To these parties may be added a third, which had wintered on the eastern boundaries of the Province.

In 1874 three parties only, exclusive of an explorer sent up the west coast, started from Victoria for interior about the 19th of May, when the spring was advanced.

33. That no surveys have been made between Esquimalt and Seymour Narrows, or in any other part of Vancouver Island :

34. That on the 4th May, 1874, the Premier of the Dominion Government declared, in his place in the Dominion House of Commons, that "there was no reason to believe" that it was possible to commence the construction of the railway in the Province this year (Appendix D D) :

35. That on the 8th May, 1874, the Dominion Government made the offer of *immediate construction on the island*, as contained in Appendix E E., before referred to :

36. That on the 23rd of May, 1874, the Premier of Canada admitted, in his place in the Dominion House of Commons, that "they were quite aware of the terms of the agreement with British Columbia was violated" (Appendix R R) :

37. That the preamble of the "Canadian Pacific Railway Act, 1874," shows that provision for the construction of this work is intended to be made by that Act only as far as can be effected without "further raising the rate of taxation," thus purporting to modify the obligation of Canada, under the Terms of Union, without the consent of British Columbia :

Your petitioners, therefore, humbly submit—

That British Columbia has fulfilled all the conditions of her agreement under the Terms of Union :

That the Dominion has not completed the necessary railway explorations and surveys; nor since 1872 has any effort at all adequate to the undertaking been made up to the present time :

That, notwithstanding the fact that on the 7th of June, 1873, by Order of the Privy Council, "Esquimalt" was "fixed" as the point of commencement on the Pacific, and it was decided that a line should "be located between that harbour and Seymour Narrows;" and, notwithstanding further, that a valuable belt of land along the line indicated has ever since been reserved by British Columbia, at the instance of the Dominion, and for the purposes, ostensibly, of immediate construction, the Dominion Government have failed and neglected to commence construction up to the present time :

That, although the Government of the Dominion admit that the agreement with British Columbia has been violated, and acknowledge that immediate construction might be commenced at Esquimalt, and active work vigorously prosecuted upon "that portion of railway" between Esquimalt and Nanaïmo, yet they virtually refuse to commence such construction unless British Columbia consents to materially change the railway clause of the Treaty :

That, in consequence of the course pursued by the Dominion, British Columbia is suffering great loss; her trade has been damaged and unsettled; her general prosperity has been seriously affected; her people have become discontented; a feeling of depression has taken the place of the confident anticipations of commercial and political advantages to be derived from the speedy construction of a great railway, uniting the Atlantic and Pacific shores of your Majesty's Dominion on the Continent of North America :

Your petitioners, therefore, humbly approach your Majesty, and pray that your Majesty may be graciously pleased to take this, our petition, into your Majesty's favourable consideration, in order that justice may be done to British Columbia.

And your petitioners, as in duty bound, will ever pray, &c.

On behalf of the Petitioners,

(Signed) GEO. A. WALKEM,

President of the Executive Council of British Columbia.

Victoria, British Columbia, June 15, 1874.

APPENDIX.

(A.)

Despatch from Earl Granville to the Governor of British Columbia, on Confederation.

(British Columbia.)

Sir,

Downing Street, August 14, 1869.

IN my despatch of 17th of June, in which I communicated to you your appointment to the Government of British Columbia, I informed you that I should probably have occasion to address you on the question then in agitation of the incorporation of that Colony with the Dominion of Canada.

You are aware that Her Majesty's Government have hitherto declined to entertain this question, mainly because it could not arise practically till the Territory of the Hudson's Bay Company was annexed to the Dominion, but also, perhaps, in the expectation that the public opinion of British Columbia might have opportunity to form and declare itself.

I have now to inform you that the terms on which Rupert's Land and the North-West Territory are to be united to Canada, have been agreed to by the parties concerned, and that the Queen will probably be advised before long to issue an Order in Council which will incorporate in the Dominion of Canada the whole of the British Possessions on the North American Continent, except the then conterminous Colony of British Columbia.

The question therefore presents itself, whether this single Colony should be excluded from the great body politic which is thus forming itself.

On this question the Colony itself does not appear to be unanimous. But as far as I can judge from the despatches which have reached me, I should conjecture that the prevailing opinion was in favour of union. I have no hesitation in stating that such is, also, the opinion of Her Majesty's Government.

They believe that a Legislature selected from an extended area, and representing a diversity of interests, is likely to deal more comprehensively with large questions, more impartially with small questions, and more conclusively with both than is possible when controversies are carried on and decided upon in the comparatively narrow circle in which they arise. Questions of purely local interest will be more carefully and dispassionately considered when disengaged from the larger politics of the country, and at the same time will be more sagaciously considered by persons who have had this larger political education.

Finally, they anticipate that the interests of every Province of British North America will be more advanced by enabling the wealth, credit, and intelligence of the whole to be brought to bear on every part, than by encouraging each in the contracted policy of taking care of itself, possibly at the expense of its neighbour.

Most especially is this true in the case of internal transit. It is evident that the

establishment of a British line of communication between the Atlantic and Pacific Oceans, is far more feasible by the operations of a single Government responsible for the progress of both shores of the Continent, than by a bargain negotiated between separate, perhaps in some respects rival, Governments and Legislatures. The San Francisco of British North America would under these circumstances hold a greater commercial and political position than would be attainable by the Capital of the isolated Colony of British Columbia.

Her Majesty's Government are aware that the distance between Ottawa and Victoria presents a real difficulty in the way of immediate union. But that very difficulty will not be without its advantages if it renders easy communication indispensable and forces onwards the operations which are to complete it. In any case it is an understood inconvenience and a diminishing one, and it appears far better to accept it as a temporary drawback on the advantages of union than to wait for those obstacles, often more intractable, which are sure to spring up after a neglected opportunity.

The constitutional connection of Her Majesty's Government with the Colony of British Columbia is as yet closer than with any other part of North America, and they are bound on an occasion like the present, to give, for the consideration of the community and the guidance of Her Majesty's servants, a more unreserved expression of their wishes and judgment than might be elsewhere fitting.

You will, therefore, give publicity to this despatch, a copy of which I have communicated to the Governor-General of Canada, and you will hold yourself authorized, either in communication with Sir John Young, or otherwise, to take such steps as you properly and constitutionally can, for promoting the favourable consideration of this question.

It will not escape you, that in acquainting you with the general views of the Government, I have avoided all matters of detail on which the wishes of the people and the Legislature will of course be declared in due time. I think it necessary, however, to observe that the constitution of British Columbia will oblige the Governor to enter personally upon many questions, as the condition of Indian tribes, and the future position of Government servants, with which, in the case of negotiation between two responsible Governments, he would not be bound to concern himself.

I have, &c.

(Signed) GRANVILLE.

Governor Musgrave,
&c. &c. &c.

(B.)

(C.)

"Proposed Terms."

CANADA shall be liable for the debts and liabilities of British Columbia existing at the time of Union.

2. The population of British Columbia shall, for the purpose of financial arrangements, be estimated at 120,000. British Columbia not having incurred debts equal to those of other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments in advance from the General Government, interest at the rate of 5 per cent. per annum on the difference between the actual amount of its indebtedness at the date of Union, and the proportion of the public debt of Canada for 120,000 of the population of Canada at the time of Union.

3. The following sums shall be annually paid by Canada to British Columbia for the support of the Local Government and Legislature, to wit:—

An annual grant of 35,000 dollars, and a further sum equal to 80 c. a head per

Canada shall be liable for the debts and liabilities of British Columbia existing at the time of the Union.

2. British Columbia not having incurred debts equal to those of the other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments, in advance from the General Government, interest at the rate of 5 per cent. per annum on the difference between the actual amount of its indebtedness at the date of the Union, and the indebtedness per head of the population of Nova Scotia and New Brunswick (27,777 dollars), the population of British Columbia being taken at 60,000.

3. The following sums shall be paid by Canada to British Columbia for the support of its Government and Legislature, to wit: an annual subsidy of 35,000 dollars, and an annual grant equal to 80 c. per head of the said population of 60,000, both half-

"Proposed Terms."

annum of the population, both payable half-yearly in advance, the population of British Columbia being estimated as aforesaid at 120,000. Such grant equal to 80 c. a-head to be augmented in proportion to the increase of population, when such may be shown, until the population amounts to 400,000, at which rate such grant shall thereafter remain.

4. The Dominion shall guarantee interest at the rate of 5 per cent. per annum on such sum, not exceeding 100,000*l.*, as may be required for the construction of a first class graving dock at Esquimalt.

5. In addition to the other provisions of this resolution, Canada shall assume and defray the charges of the following services:—

- a.* Salary and allowances of the Lieutenant-Governor;
- b.* Salaries and allowances of the Judges and Officers of the Supreme Court and of County Courts;
- c.* The charges in respect of the Department of Customs;
- d.* The Postal Department;
- e.* Lighthouses, buoys, beacons, and lightship, and such further charges as may be incident to and connected with the services which, by the "British North American Act, 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's servants in the Colony, whose position and emoluments derived therefrom would be affected by political changes on the admission of this Colony into the Dominion of Canada.

7. The Dominion Government shall supply an efficient and regular fortnightly steam communication between Victoria and San Francisco by steamers adapted and

"Accepted Terms."

yearly in advance, such grants of 80 c. per head to be augmented in proportion to the increase of population, as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate such grant shall thereafter remain, it being understood that the first census be taken in the year 1881.

4. The Dominion will provide an efficient mail service, fortnightly, by steam communication between Victoria and San Francisco, and twice a week between Victoria and Olympia; the vessels to be adapted for the conveyance of freight and passengers.

5. Canada will assume and defray the charges for the following services:—

- a.* Salary of the Lieutenant-Governor;
- b.* Salaries and allowances of the Judges of the Superior Courts and the County or District Courts;
- c.* The charges in respect to the Department of Customs;
- d.* The postal and telegraphic services;
- e.* Protection and encouragement of fisheries;

f. Provision for the Militia

g. Lighthouses, buoys, and beacons, shipwrecked crews, quarantine and marine hospitals, including a marine hospital at Victoria;

h. The geological survey;

i. The Penitentiary;

And such further charges as may be incident to and connected with the services which, by the "British North America Act of 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's servants in the Colony whose position and emoluments derived therefrom would be affected by political changes on the admission of British Columbia in the Dominion of Canada.

7. It is agreed that the existing Customs Tariff and Excise Duties shall continue in force in British Columbia until the railway from the Pacific Coast and the system of

"Proposed Terms."

giving facilities for the conveyance of passengers and cargo.

8. Inasmuch as no real Union can subsist between this Colony and Canada without the speedy establishment of communication across the Rocky Mountains by coach road and railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such coach road from some point on the line of the Main Trunk Road of this Colony to Fort Garry, of similar character to the said Main Trunk Road; and shall further engage to use all means in her power to complete such railway communication at the earliest practicable date, and that surveys to determine the proper line for such railway shall be at once commenced; and that a sum of not less than 1,000,000 dollars shall be expended in every year, from and after three years from the date of the Union, in actually constructing the initial sections of such railway from the seaboard of British Columbia, to connect with the railway system of Canada.

9. The Dominion shall erect and maintain at Victoria, a marine hospital, and a lunatic asylum, either attached to the hospital or separate, as may be considered most convenient.

The Dominion shall also erect and maintain a Penitentiary, or other principal prison, at such place in the Colony as she may consider most suitable for that purpose.

10. Efficient coast mail steam service in connection with the Post Office, shall be established and maintained by the Government of the Dominion, between Victoria

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railways in Canada are connected, unless the Legislature of British Columbia should sooner decide to accept the Tariff and Excise laws of Canada. When Customs and Excise duties are, at the time of the Union of British Columbia with Canada, leviable on any goods, wares, or merchandizes in British Columbia, or in the other Provinces of the Dominion, those goods, wares, or merchandizes may, from and after the Union, be imported into British Columbia from the Provinces now composing the Dominion, or from either of those Provinces into British Columbia, on proof of payment of the Customs or Excise duties leviable thereon in the Province of exportation, and on payment of such further amount (if any) of Customs or Excise duties as are leviable thereon in the Province of importation. This arrangement to have no force or effect after the assimilation of the Tariff and Excise duties of British Columbia with those of the Dominion.

8. British Columbia shall be entitled to be represented in the Senate by three members, and by six members in the House of Commons. The representation to be increased under the provisions of the "British North America Act, 1867."

9. The influence of the Dominion Government will be used to secure the continued maintenance of the naval station at Esquimalt.

10. The provisions of the "British North America Act, 1867," shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to

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and New Westminster, Nanaimo, and such other places as may require such services.

11. Whatever encouragement, advantages, and protection are afforded by the Dominion Government to the fisheries of any of its Provinces, shall be extended in similar proportion to British Columbia, according to its requirements for the time being.

12. British Columbia shall participate, in fair proportion, in any measures which

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be specially applicable to and only affect one, and not the whole, of the Provinces now comprising the Dominion, and except so far as may be varied by this Minute) be applicable to British Columbia, in the same way and to the like extent as they apply to the other provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further to secure the completion of such railway within ten years from the date of the Union.

And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway throughout its entire length in British Columbia, not to exceed, however, twenty miles on each side of the said line, as may be appropriated for the same purpose by the Dominion Government from the public lands in the north-west territories and the Province of Manitoba. Provided, that the quantity of land which may be held under the pre-emption right or by Crown grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided further, that until the commencement, within two years, as aforesaid, from the date of the Union, of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway, the Dominion Government agree to pay to British Columbia from the date of the Union, the sum of 100,000 dollars per annum, in half-yearly payments in advance.

12. The Dominion Government shall guarantee interest for ten years from the

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may be adopted, and funds which may be appropriated by the Dominion for the encouragement of immigration.

13. British Columbia shall be entitled to be represented in the Senate by four Members, and by eight Members in the House of Commons, until the year 18 , and thereafter the Representations in the Senate and the House of Commons shall be increased, subject to the provisions of the "British North America Act, 1867."

14. The Union shall take effect on such day as Her Majesty by Order in Council (on an Address to that effect, in terms of the 146th Section of the "British North America Act, 1867,") may direct; and British Columbia may, in such Address, specify the districts, counties, or divisions, if any, for which any of the four Senators to whom the Colony shall be entitled shall be named—the electoral districts for which—and the time within which the first election of Members to serve in the House of Commons shall take place.

15. The Constitution of the Executive authority and of the Legislature of British Columbia shall, subject to the provisions of the "British North American Act, 1867,"

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date of the completion of the works, at the rate of 5 per cent. per annum, on such sum, not exceeding 100,000*l.* sterling as may be required for the construction of a first-class graving dock at Esquimalt.

13. The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government, in trust, for the use and benefit of the Indians on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies.

14. The constitution of the Executive authority and of the Legislature of British Columbia shall, subject to the provisions of the "British North America Act, 1867," continue as existing at the time of the Union until altered under the authority of the said Act, it being at the same time understood that the Government of the Dominion will readily consent to the introduction of responsible Government when desired by the inhabitants of British Columbia, and it being likewise understood that it is the intention of the Governor of British Columbia, under the authority of the Secretary of State for the Colonies, to amend the existing constitution of the Legislature by providing that a majority of its members shall be elective.

The Union shall take effect according to the foregoing terms and conditions on such day as Her Majesty by and with the advice of Her Most Honourable Privy Council may appoint (on addresses from the Legislature of the Colony of British Columbia and of the Houses of Parliament of Canada, in the terms of the 146th section of the "British North America Act, 1867"), and British Columbia may in its address specify the electoral districts for which the first election of members to serve in the House of Commons shall take place.

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continue as existing at the time of Union, until altered under the authority of the said Act.

16. The provisions in the "British North American Act, 1867," shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to and only effect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this resolution) be applicable to British Columbia in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

With reference to defence—

(a.) That it shall be an understanding with the Dominion, that their influence will be used to the fullest extent to procure the continued maintenance of the Naval Station at Esquimalt.

(b.) Encouragement to be given to develop the efficiency and organization of the volunteer force in British Columbia.

(D.)

At the Court at Windsor, the 16th day of May, 1871.

Present:

The Queen's Most Excellent Majesty
His Royal Highness Prince Arthur.

Lord Privy Seal.
Earl Cowper.
Earl of Kimberley.

Lord Chamberlain.
Mr. Secretary Cardwell.
Mr. Ayrton.

WHEREAS by the "British North American Act, 1867," provision was made for the Union of the Provinces of Canada, Nova Scotia, and New Brunswick into the Dominion of Canada, and it was (amongst other things) enacted that it should lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on addresses from the Houses of the Parliament of Canada, and of the Legislature of the Colony of British Columbia, to admit that Colony into the said Union on such terms and conditions as should be in the Addresses expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act: and it was further enacted that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland:

And whereas by Addresses from the Houses of the Parliament of Canada and from the Legislative Council of British Columbia respectively, of which Addresses copies are contained in the Schedule to this Order annexed, Her Majesty was prayed, by and with the advice of Her Most Honourable Privy Council, under the one hundred and forty-six section of the hereinbefore recited Act, to admit British Columbia into the Dominion of Canada, on the terms and conditions set forth in the said Addresses:

And whereas Her Majesty has thought fit to approve of the said terms and conditions; it is hereby ordered and declared by Her Majesty, by and with the advice of Her Privy Council, in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, that from and after the twentieth day of July, one thousand eight hundred and seventy-one, the said Colony of British Columbia shall be admitted

into and become part of the Dominion of Canada, upon the terms and conditions set forth in the hereinbefore recited Addresses: And, in accordance with the terms of the said Addresses relating to the Electoral Districts in British Columbia, for which the first election of members to serve in the House of Commons of the said Dominion shall take place, it is hereby further ordered and declared that such electoral districts shall be as follows:—

* * * * *

And the Right Honorable Earl of Kimberley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS

(E.)

The Secretary of State to the Lieutenant-Governor.

Sir,

Ottawa, June 10, 1873.

I HAVE the honour to inclose, for the information of your Government, a copy of an Order of his Excellency the Governor-General in Council, fixing Esquimalt, in Vancouver Island, as the terminus of the Canadian Pacific Railway, and further deciding that a line of railway be located between the Harbour of Esquimalt and Seymour Narrows on the said Island.

I have further the honour to apply to you to bring the subject under the notice of your Government, with a view to the conveyance, in the manner and for the purposes stated in the said Order, of a strip of land twenty miles in width, along the Eastern Coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt.

I have, &c.

(Signed) E. A. MEREDITH,
Under-Secretary of State.

(F.)

Copy of a Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council, on the 7th June, 1873.

THE Committee of Council having had before them the Memorandum of the 29th May last, from the Chief Engineer of the Canadian Pacific Railway, and the Minute of Council thereupon of the 30th May, beg leave to recommend to your Excellency that Esquimalt, in Vancouver Island, be fixed as the terminus of the Canadian Pacific Railway; and that a line of railway be located between the Harbour of Esquimalt and Seymour Narrows, on the said Island.

The Committee further recommend that application immediately be made by despatch to the Lieutenant-Governor of British Columbia for the conveyance to the Dominion Government in trust, according to the 11th paragraph of the Terms of Agreement of Union, of a strip of land twenty miles in width, along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt.

An order of the Lieutenant-Governor of British Columbia in Council appropriating this tract of land in furtherance of the construction of the said railway will be necessary, in order to operate as a sufficient conveyance and reservation of the said land to and for the Dominion Government.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk, Privy Council.

(G.)

Copy of a Report approved by his Excellency the Lieutenant-Governor in Council, on the 25th July, 1873.

THE Committee of Council have had under consideration a Memorandum of the 23rd July, 1873, from the Honourable the Attorney-General, reporting upon a despatch

dated the 10th June last, from the Honourable the Secretary of State for the Provinces to your Excellency, covering an Order of the Honourable the Privy Council of Canada, of the 7th of the same month, which states that the Privy Council had decided as follows:—
 “That Esquimalt in Vancouver Island be fixed as the terminus of the Canadian Pacific Railway, and that a line of railway be located between the Harbour of Esquimalt and Seymour Narrows on the said Island.”

In pursuance of this decision your Excellency is requested to convey by Order in Council “to the Dominion Government in trust, according to the 11th paragraph of the Terms of the Agreement of Union, a strip of land twenty miles in width along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt.”

Upon the despatch and Order in Council the Honourable the Attorney-General reports as follows:—

“The Agreement of Union is embodied in a Statute. Its language must, therefore, be measured by the ordinary and well-known rules of interpretation as applied to Statutes. The language must not be construed too narrowly, but a fair and liberal construction, and one in accordance with the spirit and true meaning of the Agreement, should be placed upon the wording of the ‘Terms.’ Allowing, however, the greatest latitude of interpretation, and applying the broadest and most liberal construction to the 11th section of the Agreement, nothing appears which would seem to warrant the Dominion Government in claiming, or justify your Excellency in granting, a conveyance of the twenty-mile belt of land mentioned, until the line of railway be defined.

“It is admitted that the Dominion Government is entitled to the greatest consideration for the energy it has hitherto displayed in its desire to faithfully carry out the railway provisions contained in the Agreement.

“Hence the Government of this Province, holding these views and anxious to render all the assistance in its power to the Dominion Government, assumed the responsibility of reserving the belt of land mentioned almost immediately after the receipt of the despatch which is the subject of this Report. It was, however, expressly understood that the Order in Council creating the reserve should *not operate as a conveyance of the lands within its limits, and that the reserve itself should not be of a permanent character.*

“The 11th section of the ‘Terms of Union reads as follows:—

“‘The Government of the Dominion undertake to secure the commencement . . . within two years from the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains,’ thence eastward, &c.

“‘The Government of British Columbia agree to convey to the Dominion Government in trust, to be appropriated in such manner as the Dominion Government may deem advisable, in furtherance of the construction of the *said railway*, an extent of public lands *along the line of railway* throughout its entire length in British Columbia, not to exceed, however, twenty miles on *each side of said line* . . . and provided further that until the commencement, within two years as aforesaid from the date of the Union, of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portion of the public lands of British Columbia in any other way than under right of pre-emption requiring actual residence of the pre-emptor on the land claimed by him.’

“Under this agreement the Dominion Government undertook to secure the commencement of ‘the construction of a railway from the Pacific’ eastward on the 20th July, 1873, and the Province in consideration thereof agreed to convey to the Dominion Government ‘in furtherance of the construction of the *said railway*,’ certain ‘public lands *along the line of railway*, not exceeding in extent twenty miles ‘*on each side of said line.*’

“As far as the Government of this Province has been informed, no line of railway has been surveyed between Esquimalt and Seymour Narrows. A conveyance cannot, therefore, be made of public lands ‘along a line of railway’ and ‘on each side of said line,’ where no such ‘line of railway’ exists. The demand made is for a conveyance of ‘a strip of land’ twenty miles in width along the ‘eastern coast of Vancouver Island,’ or, in other words, in the absence of a survey, for a strip of the public lands along the sea coast, but not along any defined line of railway.

“It is respectfully submitted that had a ‘line of railway’ been defined by a location survey, the Government of this Province would have been notified thereof, and the language of the despatch and of the Order of the Privy Council would have been materially different from that used in the present instance. Instead of asking for a conveyance of land along a sea coast, a demand would have been made for a conveyance of certain lands ‘along a line of railway’ adopted and laid out according to an accom-

panying plan; such a demand, it is humbly conceived, would have been in accordance with the spirit and language of the 11th section.

"The term of two years mentioned in the first and second paragraphs of the section was inserted by the framers of the terms as a period amply sufficient to enable the Dominion Government to complete the preliminary surveys necessary to determine the 'line of railway,' and the Provincial Government agreed to withdraw all its public lands from sale for the like period in order that the first opportunity should be afforded to the Dominion Government of acquiring within the two years and before the work of construction should commence, the land contiguous to its line of railway, as defined from time to time.

"The two years have expired, and as the claim for the reserve mentioned is not established, it becomes the duty of the Government of British Columbia, in the interests of the Province, to respectfully press upon the Dominion Government the necessity of some immediate action being taken to render the valuable belt of land containing an area of some 3,500 square miles of service to the Province.

"The undersigned therefore suggests that, as no line of railway has been defined, your Excellency be respectfully recommended, for the above reasons, to withhold the conveyance to the Dominion Government of the land mentioned in the despatch; and that the reserve of the said land be continued until a fair opportunity shall have been afforded to the Dominion Government to consider the subject and inform the Government of this Province of its views thereon."

The Committee concur in the above Report of the Attorney-General, and submit the same for your Excellency's approval, and if sanctioned, they suggest that a copy of this Order in Council be transmitted to his Excellency the Governor-General.

Certified,
(Signed) W. J. ARMSTRONG,
Clerk, Executive Council.

(H.)

The Lieutenant-Governor to the Secretary of State for Canada.

Sir,

Government House, July 26, 1873.

I HAVE the honour to state that the Under Secretary of State for the Provinces' despatch of the 10th ultimo, and the copy therewith inclosed of an Order of his Excellency the Governor-General in Council, fixing Esquimalt, on Vancouver Island, as the terminus for the Canadian Pacific Railway, and further deciding that a line of railway be located between Esquimalt Harbour and Seymour Narrows, was duly received and submitted by me for consideration in my Executive Council, and that the strip of land twenty miles in width, along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt, specified in the said Order in Council, was accordingly reserved on the 1st July instant, under the powers and provisions of the 42nd section of the Land Ordinance of 1870 of British Columbia, and notice of such reservation duly published in the "Government Gazette," as appears in the copy thereof herewith inclosed.

With further reference to the Under Secretary of the Provinces' despatch, I have also the honour to inclose herewith, and to request that you will lay before his Excellency the Governor-General, a Minute of my Executive Council conveying the conclusion of this Government that it is not advisable to make, at present, the conveyance applied for in the said despatch and accompanying Order in Council of the land therein specified, and now held under reservation, and setting forth the grounds upon which that conclusion is based.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

(J.)

Secretary of State to the Lieutenant-Governor.

Sir,

Ottawa, August 26, 1873.

I HAVE the honour to acknowledge the receipt of your despatch of the 26th ultimo, referring to the Order of his Excellency the Governor-General in Council,

communicated to you on the 10th of June last, applying for the conveyance to the Dominion Government of a strip of land twenty miles in width along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt, and inclosing a copy of a Minute of your Executive Council on the subject of the said application.

Your despatch and its inclosures will be laid before his Excellency the Governor General in Council.

I have, &c.
(Signed) E. J. LANGEVIN,
Under-Secretary of State.

(K.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor, on the 30th day of June, 1873.

ON a Memorandum dated 30th June, 1873, from the Honourable the Attorney-General, recommending that, for the present, a bare reservation of the twenty-mile belt, lying between Esquimalt Harbour and Seymour Narrows, be made, to protect the Government of the Dominion, until the question raised by the Order in Council of the Privy Council of Canada, dated the 7th instant, with its covering despatch on the subject, of the 10th instant, be more fully discussed and determined; and that the conveyance, in trust, of the said land asked for by the Ottawa Government be for the present deferred, and that the inclosed notice of reservation be adopted, and published in a Gazette Extraordinary.

Certified,
(Signed) W. J. ARMSTRONG,
Clerk of the Executive Council.

(L.)

Notice.

WHEREAS by an Order in Council dated the 7th day of June, 1873, of the Honourable the Privy Council of Canada, it has been decided "that Esquimalt, in Vancouver Island, be fixed as the terminus of the Canadian Pacific Railway, and that a line of railway be located between the harbour of Esquimalt and Seymour Narrows, on the said island;" and whereas, in accordance with the terms of the said Order in Council, application has been made to his Excellency "the Lieutenant-Governor of British Columbia for a reservation, and for the conveyance to the Dominion Government, in trust, according to the 11th paragraph of the terms of the Agreement of Union, of a strip of land twenty miles in width, along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt, in furtherance of the construction of the said railway:"

And whereas it has been deemed advisable that the land, within the limits aforesaid, should be reserved, prior to any conveyance aforesaid being made thereof: Public notice is therefore hereby given, that from and after this date, a strip of land twenty miles in width, along the eastern coast of Vancouver Island, between Seymour Narrows and the Harbour of Esquimalt, is hereby reserved.

By command,
(Signed) JOHN ASH,
Provincial Secretary.

Provincial Secretary's Office, July 1, 1873.

(M.)

The Secretary of State to the Lieutenant-Governor.

*Department of the Secretary of State for Canada, Ottawa,
September 11, 1873.*

Sir,

I HAVE the honour to transmit to you herewith, for the information of your Government, a copy of an Order of his Excellency the Governor-General in Council,

on your despatch of the 26th July last, inclosing a Minute of your Executive Council, conveying their conclusion that it is not advisable to make at present the conveyance applied for in the letter to you of the 10th of June last.

I have, &c.

(Signed) J. C. AIKINS,
Secretary of State for Canada.

(N.)

Copy of a Report of the Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General in Council, on the 3rd September, 1873.

THE Committee of the Privy Council have had under consideration a despatch from the Lieutenant-Governor of British Columbia, of the 26th July, 1873, inclosing a Minute of his Executive Council, conveying the conclusion of the Government of British Columbia, that it is not advisable to make at present the conveyance applied for in a despatch of the Under-Secretary of State for the Provinces of the 10th of June.

The Committee of the Privy Council have read with great attention the Report of the Executive Council of British Columbia, inclosed in the Lieutenant-Governor's despatch, and beg to submit that, so long as the land which is referred to is not alienated from the Crown, but held under reservation, as stated in the Lieutenant-Governor's despatch, the object of the Government of the Dominion will be obtained, that object being simply that when the railway shall come to be constructed, the land in question shall be at the disposition of the Government of the Dominion, for the purposes laid down in the 11th section of the Terms of Union with British Columbia.

Certified,

(Signed) W. A. HIMSWORTH,
Clerk, Executive Council.

(O.)

The Lieutenant-Governor to the Secretary of State.

Sir,

Government House, September 22, 1873.

WITH reference to my despatch of the 26th July last, I have the honour to inclose, for the information of his Excellency the Governor-General, a Minute of my Executive Council, urging that the boundaries of the land on Vancouver Island, proposed to be claimed by the Government of the Dominion in trust, to aid the construction of the railroad, under the Terms of Union of British Columbia with Canada, may be at once defined, and that a competent person in this Province may be appointed to dispose of said lands, on such terms as will admit of settlement, and authorizing the Honourable A. De-Cosmos, President of the Executive Council and Premier of my Ministry, to confer with the Government of Canada on this subject.

A duplicate of this despatch and inclosure will be handed to you by Mr. De-Cosmos, who starts to-morrow for Ottawa.

I have, &c.

(Signed) JOSEPH W. TRUTCH.

(P.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor on the 20th day of September, 1873.

ON a Memorandum, dated 18th September, 1873, from the Honourable Chief Commissioner of Lands and Works, reporting that the Order in Council of the 30th June, 1873, reserving Crown lands of the east coast of Vancouver Island, is seriously retarding the settlement of that portion of the Province; and recommending that, in view of the fact that the despatch from his Excellency the Lieutenant-Governor to the Secretary of State, transmitting the Minute of this Executive Council, dated 25th July, 1873, upon the subject of this reservation, has not as yet been replied to, and as the matter requires immediate settlement, that the Dominion Government be respectfully urged to at once

define, by survey, the land they propose claiming on the east coast of Vancouver Island ; and that they appoint also a competent person in this province to dispose of said lands on such terms as will admit of settlement ; and that the Honourable Amor De-Cosmos, as Special Delegate, about to proceed to Ottawa, be authorized to confer with the Dominion Government upon the subject.

Certified,
(Signed) W. J. ARMSTRONG,
Clerk, Executive Council.

(Q.)

The Secretary of State to the Lieutenant-Governor.

Sir,

Ottawa, October 8, 1873.

I HAVE the honour to acknowledge the receipt of your despatch of the 22nd ultimo, on the subject of the occupation of lands reserved by the Dominion Government, and to state that the same will receive due consideration.

I have, &c.
(Signed) EDWARD J. LANGEVIN,
Under-Secretary of State.

(R.)

Copy of an Order in Council of this Province, dated July 25, 1873.

THE Committee of Council have had under consideration the non-fulfilment by the Dominion Government of the 11th section of the Terms of Union.

The Committee regret that the construction of the railway has not been commenced, and therefore strongly protest against the breach by the Dominion Government of a condition of the terms so highly important to the Province.

The Committee recommend the above for the approval of your Excellency, and, if sanctioned, respectfully request that a copy thereof be at once forwarded to the Dominion Government.

Certified,
(Signed) W. J. ARMSTRONG,
Clerk, Executive Council.

(S.)

The Lieutenant-Governor to the Secretary of State.

Sir,

Government House, July 26, 1873.

I HAVE the honour to inclose, at the request of my Ministers, for submission to His Excellency the Governor-General, a Minute of my Executive Council, representing the non-fulfilment by the Dominion of the 11th Section of the terms of Union of British Columbia with Canada, expressing regret that the railway has not been commenced, and strongly protesting against the breach of a condition of the terms so highly important to this Province.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

(T.)

Secretary of State to the Lieutenant-Governor.

Sir,

Ottawa, August 23, 1873.

I HAVE the honour to acknowledge the receipt of your despatch 26th ultimo, covering a copy of a Minute of your Executive Council, complaining of the non-fulfilment by the Dominion Government, of the 11th Section of the terms of Union British Columbia with Canada.

Your despatch and its inclosures will be at once laid before His Excellency the Governor-General in Council.

I have, &c.
(Signed) E. J. LANGEVIN,
Under-Secretary of State.

(U.)

The Lieutenant-Governor to the Secretary of State.

Sir. *Government House, November 24, 1873.*

I HAVE the honour to inclose a further Minute of my Executive Council, referring to the non-fulfilment by the Dominion Government of the 11th Article of the terms of Union of this Province with Canada.

In accordance with the advice of my Ministers, expressed in this Minute, I beg you to be pleased to lay before his Excellency the Governor-General, and to be good enough to bring to his Excellency's attention the previous Minutes of my Executive Council on the same subject, which were forwarded for his consideration in my despatches of the 26th July last, the latter of which conveying a protest from this Government on the failure of the Dominion Government to secure the commencement, within two years from the date of Union, of the construction of a railroad from the Pacific towards the Rocky Mountains, as provided in the 11th Article of the terms of Union, is yet unanswered; and to move his Excellency to communicate to this Government, in whatever manner he may deem advisable, in time to meet the requirement of the desire indicated by my Ministers, the course intended to be taken by the Dominion in fulfilment of the 11th Article of the terms of Union of this Province with Canada.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

(V.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by His Excellency the Lieutenant-Governor, on 22nd day of November, 1873.

THE Committee of Council having had under consideration a Memorandum from the Honourable the Provincial Secretary, dated 19th November, 1873, setting forth the acts—

That the Government of British Columbia has protested against the non-fulfilment by the Dominion Government of the 11th Article of the Terms of Union:

That beyond the acknowledgment of the receipt, no reply has been made by the Dominion Government to the dispatch conveying the protest:

That the Government of British Columbia looking at the actual condition of affairs felt compelled to await the action of the Parliament of Canada, expected shortly to meet, and which did meet at Ottawa on the 23rd of October last past:

That the Parliament of Canada has been prorogued not to meet until February next, without making provision for the construction of the Pacific Railway:

That the Legislative Assembly of the Province stands called to meet at Victoria on the 18th day of December next: and

That the non-fulfilment by the Dominion Government of the Terms of Union has caused a strong feeling of anxiety and discouragement to exist throughout the Province.

The Committee advise your honour to ask the Dominion Government through the proper channel, for a decided expression of its policy with regard to the fulfilment of the 11th Article of the terms of Union, in order that the information may be given to the Legislature at the opening of the coming Session.

And they request that the decision arrived at be communicated to your honour by telegram at the earliest moment possible; and the Committee respectfully suggest, that if the present Report be sanctioned, your honour will be pleased to forward the same to His Excellency the Governor-General; and also to draw his attention to the Minutes of Council, each bearing date the 25th day of July last, on the same subject, one being a protest against the breach of Article 11, and the other a denial of the right of the

Dominion Government to a conveyance or reserve of any of the public lands for railway purposes until the line of railway should be defined.

(Certified)

W. J. ARMSTRONG,
Clerk, Executive Council.

(W.)

Telegram.

The Hon. G. A. Walkem,

Ottawa, December 22, 1873.

The Dominion Government scheme for the construction of Pacific Railway was outlined in my speech at Sarnia, Ontario, on the 25th November, which you have no doubt seen.

We are giving earnest consideration to the details of the scheme, which we believe will be acceptable to the whole of the Dominion including British Columbia. We hope to communicate with you shortly, probably, by special agent. I will telegraph you again in a week or so.

(Signed) A. MACKENZIE.

(X.)

Extract from Journals of Legislative Assembly.

Monday, February 9, 1874.

ON the motion of the Honourable Mr. Beaven, seconded by Mr. Duck, it was resolved:—

That whereas, on the 20th July, 1871, the Colony of British Columbia was united to and became part of the Dominion of Canada, in accordance with certain terms; and whereas, by Section 11 of the said terms, the Government of the Dominion undertook to secure the commencement, simultaneously, within two years from the date of Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific: and whereas, the two years therein referred to expired on the 20th July last, and the construction of the said railway was not then, and has not since, been commenced, causing thereby serious loss and injury to the people of this Province: be it, therefore, Resolved:—

That an humble address be presented to his honour the Lieutenant-Governor, respectfully requesting him to protest, on behalf of the Legislature and people of this Province, against the infraction of this most important clause of the terms of Union, and to impress upon the present Administration in Canada the absolute necessity of commencing the actual construction of the railway from the seaboard of British Columbia early in the present year.

(Y.)

The Lieutenant-Governor to the Secretary of State.

Sir,

Victoria, February 25, 1874.

I HAVE the honour to inclose herewith, a copy of an address to me from the Legislative Assembly of this Province, requesting me to protest on behalf of the Legislature and people of British Columbia, against the infraction of the 11th Article of the Terms of Union of British Columbia with Canada, by which the Dominion undertook to secure the commencement, simultaneously, within two years from the date of Union of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific to connect the seaboard of British Columbia with the railway system of Canada, and to urge the absolute necessity for the commencement of the actual construction of such railway from the seaboard of British Columbia, early in the present year.

I also inclose a Minute of my Executive Council concurring in the prayer of this Address to me, and recommending that a copy be forwarded by me to his Excellency the Governor-General, with a request that he will be pleased to order immediate action to be taken thereon.

In accordance, therefore, with the advice of my Ministers, I beg that you will be good enough to lay this despatch and its inclosure before his Excellency the Governor-General, and to commend to his Excellency's favourable consideration the representations and urgent requests of the Government and Legislature of British Columbia herein set forth.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

(Z.)

The Secretary of State to the Lieutenant-Governor.

Sir, Ottawa, March 12, 1874.
I HAVE the honour to acknowledge the receipt of your despatch of the 25th ultimo, covering a copy of an Address of the Legislative Assembly of the Province of British Columbia, and of a Minute of your Executive Council, founded thereon, on the subject of the non-fulfilment of the 11th Section of the Terms of Union of the Province to the Dominion.

Your despatch and its inclosures will be submitted for the consideration of his Excellency the Governor-General.

I am, &c.
(Signed) E. J. LANGEVIN,
Under-Secretary of State.

(AA.)

Letter of Introduction from the Hon. A. Mackenzie to the Hon. G. A. Walkem, dated Ottawa, February 19, 1874, printed at page 35.

(BB.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor, on the 7th day of May, 1874.

ON a Memorandum dated 7th May, 1874, from the Honourable the Attorney-General, recommending that his Excellency the Lieutenant-Governor be requested to telegraph to his Excellency the Governor-General for a reply by telegram, containing full information of the railway policy of the Dominion Government, especially as it affects British Columbia, and whether it is true that the Premier has publicly stated in the Commons that the Dominion Government do not intend to commence railway construction this year in this Province.

The Committee advise that the recommendation be approved.

Certified,
(Signed) W. J. ARMSTRONG,
*Minister of Finance and Agriculture, and
Clerk of the Executive Council.*

(CC.)

Telegram.

Victoria, May 7, 1874.

To the Hon. the Secretary of State for Canada, Ottawa, Canada,

IT being reported here to-day that the Premier stated in the House of Commons, on the 4th instant, that construction of railway in British Columbia would not be commenced this year, this Government urgently requests to be fully informed, immediately, by telegram, of particulars of policy adopted by Dominion Government respecting railway clause of Terms of Union.

(Signed) JOSEPH W. TRUTCH,
Lieutenant-Governor.

(DD.)

Telegram.

Lieutenant-Governor Trutch.

Ottawa, Ontario, May 8, 1874.

MR. MACKENZIE simply said that, until the location of the road was ascertained, it was impossible to commence construction; that a large surveying force was now at work, and there was no reason to believe that it would be possible to complete the survey before the close of the year.

(Signed) R. W. SCOTT, *Secretary of State.*

(EE.)

Mr. J. D. Edgar's Letter to the Hon. G. A. Walkem, dated Victoria, British Columbia, May 8, 1874, will be found printed at page 36.

(FF.)

Hon. G. A. Walkem to Mr. J. D. Edgar, dated Attorney-General's Department, Victoria, May 11, 1874, printed at page 38.

(GG.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor, on the 18th day of May, 1874.

ON a Memorandum dated 16th May, 1874, from the Honourable the Attorney-General, recommending that his Excellency the Lieutenant-Governor be respectfully requested to ascertain, by telegraph, from the Honourable Secretary of State, whether any propositions purporting to be, or to have been made by James D. Edgar, Esq., on behalf of the Dominion Government, will be considered binding by them; and, further, whether he has any power to enter into any negotiations with this Government.

The Committee advise that the recommendation be approved.

Certified,

(Signed) W. J. ARMSTRONG,
*Minister of Finance and Agriculture, and
Clerk of the Executive Council.*

(HH.)

Mr. J. D. Edgar to the Hon. G. A. Walkem, dated Victoria, May 18, 1874, printed at page 38.

(JJ.)

Hon. G. A. Walkem to Mr. J. D. Edgar, dated Victoria, May 18, 1874, printed at page 38.

(KK.)

*Telegram.**Victoria, May 18, 1874.*

The Hon. R. W. Scott, Secretary of State, Ottawa, Canada.

MY Ministers request to be informed whether Mr. Edgar is empowered to negotiate with this Government, and whether propositions purporting to be made by him on behalf of the Dominion Government will be considered binding by that Government.

(Signed) JOSEPH W. TRUTCH,
Lieutenant-Governor

(LL.)

Telegram.

To Lieutenant-Governor Trutch.

Ottawa, May 20, 1874.

I REFER Ministry to my letter by Mr. Edgar, which sufficiently indicated his Mission, and which they recognized.

He is now recalled, and I await his return and reports.

(Signed)

A. MACKENZIE.

(MM.)

Telegram.

Hon. A. Mackenzie, Ottawa.

Victoria, May 21, 1874.

WILL you kindly answer Governor's telegram fully. Do Mr. Edgar's propositions to change Railway Terms bind your Government?

(Signed)

GEO. A. WALKEM.

(NN.)

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor, on the 21st day of May, 1874.

THE Committee of Council have had under consideration the subject of the non-fulfilment by the Dominion Government of the 11th or Railway Clause of the Terms of Union; and, in view of the importance of the question as affecting the whole Province, they recommend that a letter of Mr. J. D. Edgar, dated 8th May, 1874, addressed to the Honourable Attorney-General, and the Orders in Council, the telegrams, and the correspondence relating thereto, be published for general information.

The Committee remark, that the letter alluded to by Mr. Edgar as having been delivered by him to your Excellency, is the only document bearing on the subject which will not be published. This letter they have never seen, nor have they any further knowledge of it beyond the reference made to it by your Excellency as a letter received by you from his Excellency the Governor-General, marked "Private and Confidential," and therefore not communicated to the Council.

Certified,

(Signed)

W. J. ARMSTRONG,

Minister of Finance and Agriculture, and
Clerk of the Executive Council.

(OO.)

Telegram.

Ottawa, Ontario, June 8, 1874.

To Lieutenant-Governor Trutch.

(Received at Victoria, June 8.)

ON May 8, Mr. Edgar, on behalf of the Dominion Government, made certain proposals to your Government respecting the construction of the Pacific Railway, which involved immediately heavy expenditure for purchases (purposes) not contemplated by the Terms of Union, in consideration of foregoing the limit of the time for the completion of the railway.

I exceedingly regret that your Government have not replied to the proposals, or apparently considered them. I beg, therefore, that you will now inform your Ministers that the proposals are withdrawn.

(Signed)

A. MACKENZIE.

(PP.)

*Copy of Order in Council, approved by his Excellency the Lieutenant-Governor,
9th June, 1874.*

ON a Memorandum of the 9th day of June, 1874, reporting on a telegram laid before this Council by his Excellency the Lieutenant-Governor, yesterday received by

him, from the Honourable Alexander Mackenzie, Premier of the Dominion of Canada (copy of which is inclosed), respecting certain proposals in writing, made on the 8th of May last, by Mr. Edgar to Mr. Walkem, and recommending that his Excellency be respectfully requested to send the inclosed telegraphic message in reply thereto.

The Committee advise that the recommendation be approved.

(Signed)

GEO. A. WALKEM,
President, Executive Council.

(QQ.)

Telegram.

Victoria, June 9, 1874.

The Hon. R. W. Scott, Secretary of State, Ottawa, Canada.

MY Ministers request me to state, in reference to a telegram to me from Mr. Mackenzie, dated yesterday, that it conveys the first direct information to this Government, (although such information was formally applied for by telegram to you of 18th May), that the views on the Railway question, contained in a letter from Mr. Edgar to Mr. Walkem, were proposals to this Government from the Dominion Government, and that they consider it remarkable that the only communication to this Government which acknowledges such proposals authoritative, should at the same time withdraw them.

(Signed)

JOSEPH W. TRUTCH,
Lieutenant-Governor.

(RR.)

Extract from the Montreal Weekly Gazette, May 15, 1874.

"THEY were quite aware that the difficulties to be surmounted were extensive, and they were quite aware that the terms of the agreement with British Columbia had been violated. Under these circumstances they thought that in the meantime the first step to be taken, was to confer with the Local Government of the Province of British Columbia, and to endeavour to ascertain from them if any means could be arranged by which an extension of time could be procured for the prosecution of the work, we were bound to undertake. With that view an Agent was sent as a Representative of this Government, to visit that Province; and in the course of his communications with the Local Government, it became very apparent, as it had been made apparent in the House by several Members from the Island of Vancouver, that it was an exceedingly important matter with them to have the road commenced at once. He, for one, was quite willing, if the Local Government was disposed to make some terms for the extension of time, that that the Government should undertake the construction of the land portion as rapidly as possible; but if it became apparent that the Local Government were determined to adhere to the whole terms, then the Dominion of Canada could accede to the terms, and nothing more. They instructed Mr. Edgar to say, that the Government would be prepared immediately to undertake the commencement of the work on the island, traversing northwards towards the point of crossing; prosecuting the surveys on the mainland; getting a passable route along the ridge; and erecting telegraph lines. He was also instructed to state, that as soon as the work could be placed under contract, they would spend no less than 1,500,000 dollars within the Province on the railway. He did not know whether this had been accepted or not, but under any circumstances they should have authority to proceed with the work, as they thought would meet the just expectations of the country, and the reasonable expectations of the people in British Columbia. The policy he had announced in his election address in November last, had been closely criticised by the honourable gentlemen opposite. He had his own impression as to the course to be pursued; and he thought, if he recollected rightly, that the right honourable gentlemen opposite had said that if his views were adopted, British Columbia would be justified in seceding from the Union."

No. 13.

The Earl of Dufferin to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Government House, Ottawa, July 18, 1874.

I HAVE the honour to inclose a copy of an approved Report of a Committee of the Privy Council, requesting me to inform your Lordship that Mr. Walkem, the Attorney-General of the Province of British Columbia, has been deputed by that Government, as a Special Agent, to lay before your Lordship the claims of British Columbia under the XIth Clause of the Terms of Union with the Dominion of Canada.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 13.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General on the 8th July, 1874.

ON a despatch dated 11th June, 1874, from his Honour the Lieutenant-Governor of British Columbia, inclosing a Minute of the Executive Council of that Province representing that British Columbia is suffering great injury from the failure by Canada to carry out the obligations of the XIth clause of the Terms of Union, and that it is advisable in the interests of that Province that the case be laid before the Imperial Government by means of a Memorial to be presented to the Secretary of State for the Colonies, by the Attorney-General of British Columbia, as Special Agent and Delegate of that Government.

The Lieutenant-Governor states that, in accordance with the advice of his Ministers, he has appointed the Honourable George Anthony Walkem, Attorney-General of that Province to be such Special Agent and Delegate, and at their request he begs that your Excellency be informed that Mr. Walkem has been duly appointed as such Special Agent and Delegate; and that your Excellency be moved to acquaint the Right Honourable Her Majesty's Principal Secretary of State for the Colonies that Mr. Walkem has been authorized and instructed to place in his hands the Memorial of that Government, appealing to Her Majesty, and to support the prayer thereof.

On the recommendation of the Honourable the Secretary of State, the Committee advise that the above request be acceded to.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk Privy Council.

No. 14.

The Earl of Dufferin to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Ottawa, July 22, 1874.

I HAVE the honour to forward herewith, three copies of the Act of last Session, "An Act to Provide for the Construction of the Canadian Pacific Railway." One copy is attested by the Deputy-Clerk of the Senate.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 14.

An Act to provide for the Construction of the Canadian Pacific Railway.

WHEREAS by the terms and conditions of the admission of British Columbia into union with the Dominion of Canada, set forth and embodied in an Address to Her Majesty adopted by the Legislative Council of that Colony in January 1871, under the

provisions of the 146th section of the "British North America Act, 1867," and laid before both the Houses of the Parliament of Canada during the Session of 1871, and concurred in by the Senate and House of Commons of Canada, and embodied in addresses to the said Houses to Her Majesty under the said section of the "British North America Act, 1867," and approved by Her Majesty and embodied in the Order of Her Majesty in Council of the 16th of May, 1871, admitting British Columbia into the Union under the said Act as part of the Dominion of Canada, from the 20th day of July, 1871, it is among other things provided :

That the Government of the Dominion shall construct a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected for the purpose east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada : and further, that the Government of the Dominion shall secure the commencement of such railway within two years and its completion within ten years from the date of the Union ; the Government of British Columbia agreeing to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway, through its entire length in British Columbia (not to exceed, however, twenty miles on each side of the said line), as may be appropriated for the same purpose by the Dominion Government from the public lands in the north-west territories and the Province of Manitoba, subject to certain conditions for making good to the Dominion Government from contiguous lands the quantity of land which may be held under pre-emption right or by Crown grants within the said limits, and for restraining the sale or alienation by the Government of British Columbia during the said two years, of lands with the said limits :

And whereas, the House of Commons of Canada resolved in the Session of the year 1871, that the said railway should be constructed and worked by private enterprise and not by the Dominion Government, and that the public aid to be given to secure its accomplishment, should consist of such liberal grants of land and such subsidy in money or other aid, not increasing the then existing rate of taxation, as the Parliament of Canada should thereafter determine : And whereas the Statute 35 Victoria, chapter 71, was enacted in order to carry out the said agreement and resolution ; but the enactments therein contained have not been effectual for that purpose :

And whereas, by the legislation of this present session, in order to provide means for meeting the obligations of the Dominion the rate of taxation has been raised much beyond that existing at the date of the said resolution : And whereas, it is proper to make provision for the construction of the said work as rapidly as the same can be accomplished without further raising the rate of taxation : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. A railway to be called the "Canadian Pacific Railway" shall be made from some point near to and south of Lake Nipissing to some point in British Columbia on the Pacific Ocean, both the said points to be determined and the course and line of the said railway to be approved of by the Governor in Council.

2. The whole line of the said railway, for the purpose of its construction, shall be divided into four sections : the first section to begin at a point near to and south of Lake Nipissing, and to extend towards the upper or western end of Lake Superior, to a point where it shall intersect the second section hereinafter mentioned ; the second section to begin at some point on Lake Superior, to be determined by the Governor in Council, and connecting with the first section, and to extend to Red River, in the Province of Manitoba ; the third section to extend from Red River, in the Province of Manitoba, to some point between Fort Edmonton and the foot of the Rocky Mountains, to be determined by the Governor in Council ; the fourth section to extend from the western terminus of the third section to some point in British Columbia on the Pacific Ocean.

3. Branches of the said railway shall also be constructed as follows, that is to say :—

(1.) A branch from the point indicated as the eastern terminus of the said railway to some point on the Georgian Bay, both the said points to be determined by the Governor in Council.

(2.) A branch from the main line near Fort Garry, in the Province of Manitoba, to some point near Pembina on the southern boundary thereof.

4. The branch railways above mentioned shall, for all intents and purposes, be considered as forming part of the Canadian Pacific Railway, and as so many distinct sections of the said railway, and shall be subject to all the provisions hereinafter made

with respect to the said Canadian Pacific railway, except in so far as it may be otherwise provided for by this Act.

5. A line of electric telegraph shall be constructed in advance of the said railway and branches, along their whole extent respectively, as soon as practicable after the location of the line shall have been determined upon.

6. The gauge of the said railway shall be 4 feet 8½ inches, and the grades thereof, and the materials and manner of and in which the several works forming part thereof shall be constructed, and the mode of working the railway, including the description and the capacity of the locomotive engines and other rolling stock, shall be such as may be determined by the Governor in Council.

7. The said Canadian Pacific Railway and the branches or sections hereinbefore mentioned, and the stations, bridges, and other works connected therewith, and all engines, freight and passenger cars, and rolling stock shall be constructed under the general superintendence of the Department of Public Works.

8. The Governor in Council may divide the several sections of the said railway into sub-sections, and may contract with any person, co-partnership or company incorporated or to be hereafter incorporated (hereinafter referred to as the "Contractors," which expression shall be understood to include a single "Contractor" for any such work) for the construction of any section or sub-section of the said Railway, including all works connected therewith, and all rolling stock required to work the same, and for the working of the same as hereinafter provided, on such terms and conditions as by the Governor in Council may be deemed just and reasonable, subject to the following provisions:—

(1.) That the works on any section or sub-section of the said railway shall not be given out to any contractor or contractors except after tenders shall have been obtained for the same.

(2.) That the contract for any portion of the said works shall not be given to any contractors unless such contractors give satisfactory evidence that they possess a capital of at least 4,000 dollars per mile of their contract, and of which 25 per cent. in money, Government or other sufficient securities, approved by the Governor in Council, shall have been deposited to the credit of the Receiver-General in one or more of the chartered Banks of the Dominion to be designated for that purpose by the Governor in Council, as security for the completion of the contract, and the Governor in Council may make such further conditions as he may deem expedient for securing the performance of the contract, as well with respect to the construction as to the working of the railway after completion, and any such condition shall be valid, and may be enforced as provided by the contract.

(3.) That the total sum to be paid to the contractors shall be stipulated in the contract, and shall be 10,000 dollars for each mile of the section or sub-section contracted for, and that such sum shall be paid to the contractors as the work progresses by monthly payments in proportion to the value of the work then actually performed (according to the estimates of the engineers designated for the purpose by the Minister of Public Works) as compared with the value of the whole work contracted for, including rolling stock and all things to be done or furnished by the contractors; and except money arising from the sale of lands as hereinafter provided, no further sum of money shall be payable to the contractors as principal, but interest at the rate of 4 per cent. per annum for twenty-five years from the completion of the work, on a sum (to be stated in the contract) for each mile of the section or sub-section contracted for, shall be payable to the contractors, and guarantees for the payment thereof shall be given from time to time to the contractors in like manner and proportion and on like conditions as payments are to be made on the principal sum above mentioned; and the tenders for the work shall be required to state the lowest sum per mile on which such interest and guarantees will be required.

(4.) That a quantity of land, not exceeding 20,000 acres for each mile of the section or sub-section contracted for shall be appropriated in alternate sections of twenty square miles each along the line of the said railway, or at a convenient distance therefrom, each section having a frontage of not less than three miles nor more than six miles on the line of the said railway, and that two-thirds of the quantity of land so appropriated shall be sold by the Government at such prices as may be from time to time agreed upon between the Governor in Council and the contractors, and the proceeds thereof accounted for and paid half yearly to the contractors, free from any charge of administration or management; the remaining third to be conveyed to the contractors. The said lands to be of fair average quality and not to include any land already granted or occupied under any patent, licence of occupation, or pre-emption right; and when a sufficient quantity

cannot be found in the immediate vicinity of the railway, then the same quantity, or as much as may be required to complete such quantity, shall be appropriated at such other places as may be determined by the Governor in Council.

(5.) That the said blocks of land to be appropriated as aforesaid shall be designated by the Governor in Council as soon as the line of railway, or of any section or sub-section thereof, is finally located. Provided that all such payments of the proceeds of lands sold, and conveyances of lands to be granted shall be so made and granted from time to time as the work of construction is proceeded with, in like manner and proportion and on like conditions as the money and guarantees above mentioned, and subject to any conditions of the contract as respects the construction of the working of the railway after completion.

(6.) That the Governor in Council may further grant to the contractors the right of way through Government lands, as also any such lands required for stations or workshops, and generally all such lands as may be necessarily required for the purpose of constructing or working the said railway.

(7.) That the cost of surveys and of locating the line of the several sections and sub-sections of the said railway shall be part of the subsidy or consideration allowed to the contractors or not, as may be determined by the Governor in Council, and agreed upon in the contract entered into with the contractors.

(8.) Each section or sub-section of the said railway, as it is in whole or in part completed, shall be the property of the contractors for the same, and shall be worked by and for the advantage and benefit of such contractors, under such regulations as may from time to time be made by the Governor in Council, as regards the rates chargeable for passengers and freight, the number and description of trains to be run, and the accommodation to be afforded for freight and passengers.

(9.) All and every the provisions of "The Railway Act, 1868," in so far as the provisions therein contained are applicable to the said Canadian Pacific Railway, or any section or sub-section thereof, and are not inconsistent with or repugnant to the provisions of this Act, shall be considered as forming part of this Act, and are hereby incorporated therewith.

(10.) In applying the said Railway Act to the Canadian Pacific Railway, or any portion thereof, the expression "the Railway" shall be construed as meaning any section or sub-section of the said railway, the construction of which has been undertaken by any contractors; and the expression "the Company" shall mean the contractors for the same. And such contractors shall have all the rights and powers vested in Companies by the said Act.

(11.) As respects the said railway, the 8th section of "The Railway Act, 1868," relating to plans and surveys, shall be subject to the following provisions:—

It shall be sufficient that the map or plan and book of reference for any portion of the line of the railway, not being within any district or county for which there is a Clerk of the Peace, be deposited in the office of the Minister of Public Works of Canada, and any omission, misstatement, or erroneous description of any lands therein may be corrected by the contractor, with the consent of the Minister, and certified by him; and the railway may then be made in accordance with such certified correction.

The 11th sub-section of the said 8th section of the Railway Act shall not apply to any portion of the railway passing over ungranted lands of the Crown, or lands not within any surveyed township in any province; and in such places deviations not exceeding 5 miles from the line shown on the map or plan, approved by the Minister of Public Works, shall be allowed, on the approval of the engineer employed by the said Minister, without any formal correction or certificate; and any further deviation that may be found expedient may be authorized by the Governor in Council, and the railway made in accordance with such authorized deviation.

The map or plan and book of reference made and deposited in accordance with this section, after approval by the Government, shall avail as if made and deposited as required by the said "The Railway Act, 1868," for all the purposes of the said Act; and of this Act; and any copy of the same or extract therefrom, certified by the said Minister or his deputy, shall be received as evidence in any Court of Law in Canada.

It shall be sufficient that a map or profile of any part of the completed railway, which shall not lie within any county or district having a registry office, be filed in the office of the Minister of Public Works.

(12.) The provision made in sub-sections 30, 31, and 32, of section 9 of "The Railway Act, 1868," as to incumbrances on lands acquired for the said railway, shall apply to lands so acquired in the Provinces of Manitoba and British Columbia, and in the North-West Territories; and as respects lands in the North-West Territories, the

Court of Queen's Bench for the Province of Manitoba shall be held to be the Court intended by the said sub-sections.

(13.) In the Provinces of British Columbia and Manitoba, any Judge of a Superior or County Court shall have all the powers given by the said Act to a County Judge, and in the North-West Territories such powers shall be exercised by a Judge of the Court of Queen's Bench of the Province of Manitoba.

(14.) It shall be lawful for the contractors to take from any public lands adjacent to or near the line of the said railway, all stone, timber, gravel and other materials which may be necessary or useful for the construction of the railway; and also to lay out and appropriate to the use of the contractor a greater extent of lands, whether public or private, for stations, depôts, workshops, buildings, side-tracks, wharves, harbours and roadway, and for establishing screens against snow, than the breadth and quantity mentioned in the "Railway Act, 1868," such greater extent taken, in any case, being allowed by the Government, and shown on the maps or plans deposited with the Minister of Public Works.

(15.) As respects places not within any Province, any notice required by the "Railway Act, 1868," to be given in the "Official Gazette" of a Province, may be given in the "Canada Gazette."

(16.) Deeds and conveyances of lands to the contractors (not being letters patent from the Crown) may, in so far as circumstances will admit, be in the form following, that is to say:—

"Know all men by these presents, that I, A.B., in consideration of paid to me by the contractors for section (or as the case may be,) of the Canadian Pacific Railway, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said contractors for section successors and assigns, all that tract or parcel of land (*describe the land*) to have and to hold the said land and premises unto the said contractors, their successors and assigns for ever.

"Witness my hand and seal, this day of one thousand eight hundred and

"A. B. [L.S.]

"Signed, sealed, and delivered in presence of

"C. D.

"E. F."

or in any other form to the like effect.

(17.) Her Majesty's naval and military forces, whether Imperial or Canadian, Regular or Militia, and all artillery, ammunition, baggage, provisions, or other stores for their use, and all officers and others travelling on Her Majesty's naval and military or other services, and their baggage and stores, shall at all times, when the contractors shall be thereunto required by one of Her Majesty's Principal Secretaries of State, or by the Commander of Her Majesty's Forces in Canada, or by the Minister of Militia and Defence of Canada, or by the Chief Naval Officer on the North American Station on the Atlantic, or on the Pacific Ocean, be carried on the said railway by the contractors on such terms and conditions and under such regulations as the Government shall from time to time make.

(18.) The Justices of the Peace for any county or district in British Columbia and Manitoba, assembled in General or Quarter Sessions, shall have the power vested by section forty-nine of the "Railway Act, 1868," in the Justices so assembled in the Province of Ontario as to the appointment of railway constables, and in places where there are no such sessions, any two Justices of the Peace in any Province, or in any place not within a Province, shall have the powers given by the said section to any two Justices of the Peace in Ontario for the appointment and dismissal of any such constables; and where there is no Clerk of the Peace the record of the appointment of constable shall be dispensed with.

General Provisions.

9. Any felony or misdemeanor in contravention of the Penal Clauses of the "Railway Act, 1868," committed in the Province of Manitoba or British Columbia, shall be tried, punished, and dealt with in such Province, by and before the court or tribunal having cognizance of felonies and misdemeanors respectively (as the case may be), and punished in the manner provided by the said Act; and, if committed in any place not within the Province, may be tried, punished, and dealt with by any court having like jurisdiction in British Columbia, Manitoba, or Ontario, in any of which Provinces the offender may be arrested and dealt with as if the offence had been com-

mitted there; or he may be arrested in the territory where the offence is committed, and committed by any Justice of the Peace for such territory for trial at such court, and in such county, district, or place in either of the said Provinces, as the Justice may think most convenient, and to the common gaol whereof he may commit such offender, and authorize his being conveyed by any constable; and if the punishment to which he is sentenced be imprisonment in the penitentiary, and there be no penitentiary in the Province, such imprisonment shall be in the common gaol for the place where he is convicted; and any offence against the said "Penal Clauses," or any other section of the said Act thereby cognizable before a Justice or Justices of the Peace, shall be cognizable before a Justice or Justices of the Peace for the place where the offence is committed; and if any pecuniary penalty be imposed and there be no party entitled to receive it under the said Act, it shall be paid to the Receiver-General, to the credit of the Railway Inspection Fund. And this section shall apply as well to any part of the said Railway, constructed by the Government of Canada as a Public Work, as to any portion thereof constructed by contractors.

10. In every contract for the construction of the said railway or of any section or sub-section thereof, the Government of Canada shall reserve the right to purchase under the authority of Parliament, the said railway or such section or sub-section thereof, on payment of a sum equal to the actual cost of the said railway, section or sub-section, and 10 per cent. in addition thereto; the subsidies in land and money granted or paid by the Government for the construction of the said railway being first returned or deducted from the amount to be paid, the land sold being valued at the full amount the contractors may have received from the sale of such lands as may have been sold.

11. No contract for the construction of any portion of the main line of the said railway shall be binding until it shall have been laid before the House of Commons for one month without being disapproved, unless sooner approved by a resolution of the House.

12. In case it shall be found by the Governor in Council more advantageous to construct the said railway or any portion thereof, as a public work of the Dominion of Canada, the construction thereof shall be let out by contracts offered to public competition, and the Governor in Council may establish from time to time the mode and regulations under which the contracts shall be given, and the railway or such portion thereof shall be constructed and worked after it shall have been completed, including the rates to be charged for freight and passengers; such regulations not being contrary to any of the provisions of the Acts regulating the Department of Public Works or to any other Act or law in force in the Dominion.

13. The branch railways shall be constructed as follows, that is to say: That section of the first branch extending from the eastern terminus of the first section of the said railway to some point on the Georgian Bay to be fixed as aforesaid, shall be constructed by contractors as a private enterprise on the same terms and conditions as provided with respect to the main line of the said railway, or any section thereof; or as a public work of the Dominion under such contract or contracts as may be agreed upon and sanctioned by the Governor in Council.

14. The Governor in Council may also grant such bonus or bonuses, subsidy or subsidies to any company or companies already incorporated or to be hereafter incorporated, not exceeding 12,000 dollars per mile, as will secure the construction of the branch lines extending from the eastern terminus of the said Canadian Pacific Railway to connect with existing or proposed lines of railway; the granting of such bonuses or subsidies to be subject to such conditions for securing the running powers and other rights over and with respect to the whole or any portion of the said branch railway, to the owners or lessees of the main line of the said railway or of any section thereof, or to the owners or lessees of any other railway connecting with the said branch railway as the Governor in Council may determine: But every order in Council granting such subsidy shall be laid before the House of Commons for its ratification or rejection, and shall only be operative after its ratification by resolution of the House.

15. The Governor in Council may, at any time after the construction of the said branch railway, make with the company or companies owning any portion of the said branch railway, such arrangement for leasing to such company or companies any portion of the said branch railway which may belong to the Government, on such terms and conditions as may be agreed upon, such lease not to exceed a term of ten years, and may also make such other arrangements as may be deemed advantageous for working the said railway in connection with that portion of the said branch railway belonging to such company or companies; provided no such contract for leasing the said branch railway, and no such agreement for working the said railway in connection with any

other railway shall be binding until it shall have been laid before the house of Commons for one month without being disapproved, unless sooner approved by a Resolution of the House.

16. The branch of the said railway, from Fort Garry to Pembina, in the Province of Manitoba, shall be built either as a private enterprise, on the terms and conditions on which the main line may be constructed, or as a public work of the Dominion, under such contract or contracts as may be agreed upon and sanctioned by the Governor in Council.

17. The Governor, by Order in Council, shall have the right to determine the time when the works on each section or sub-section of the said railway shall be commenced, proceeded with, and completed.

18. The Contractors shall furnish such information of the progress of the works as may be required by the Minister of Public Works, and such statistical details, accounts, and information, as may be required from them after completion.

19. The Minister of Public Works shall, within one month of the opening of each session, lay before the two Houses of Parliament a Report of the progress of the works, and of the sums expended, together with copies of all contracts entered into since the last Report made to Parliament, for the construction of the said railway or any portion thereof, or for the running or working of the same.

20. The Governor in Council shall have the power at any time to suspend the progress of the work until the then next Session of Parliament.

21. Out of the sums of money to be raised under the Act of the present Session, intitled "An Act to authorize the raising of a loan for the construction of certain public works, with the benefit of the Imperial guarantee for a portion thereof," and subject to the provisions of the said Act, the Governor in Council may from time to time apply sums not exceeding in the whole 2,500,000*l.* sterling out of the sum so raised with the Imperial guarantee,—and sums not exceeding in the whole 15,000,000 dollars out of the sum raised under the said Act without the Imperial guarantee, for the construction of the said railway, and the purposes of this Act.

22. Separate accounts of the money expended under this Act and of the sums proceeding from the sale of any of the lands appropriated by this or any other Act for the constructing or assisting in the construction of said railway and branches thereof, shall be kept by the Receiver-General, and all sums required for the carrying out of this Act shall be paid out of money, mentioned in this or the next preceding section, and not out of any other fund, except that the Governor in Council may (as provided by the Act last cited) authorize the advance, out of the Consolidated Revenue Fund, of such sums as it may be necessary to expend for the purposes aforesaid, before the said loans can be raised, such sums to be repaid to the Consolidated Revenue Fund out of the loans.

23. The Act entitled "An Act respecting the Canadian Pacific Railway," passed in the Session of 1872, by the Parliament of Canada, is hereby repealed.

44. This Act may be cited as "The Canadian Pacific Railway Act, 1874."

No. 15.

Lieutenant-Governor Trutch to the Earl of Carnarvon.—(Received August 5.)

(Telegraphic.)

August 3, 1874.

UPON advice of responsible Ministers I accept, on behalf of British Columbia, arbitration offered in your despatch to Lord Dufferin, 18th June.* Please acknowledge.

No. 16.

The Earl of Carnarvon to Lieutenant-Governor Trutch.

(Telegraphic.)

August 5, 1874.

YOUR telegram of 3rd August received.

No. 17.

The Earl of Dufferin to the Earl of Carnarvon.—(Received August 12.)

My Lord,

Ottawa, July 31, 1874.

I HAVE the honour to transmit a copy of a despatch and inclosure from the Lieutenant-Governor of British Columbia, together with a Petition to Her Majesty therein referred from the inhabitants of Victoria, respecting the non-fulfilment by Canada of the terms of Union.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 17.

Sir,

Government House, British Columbia, July 2, 1874.

I HAVE the honour to inclose a Petition to Her Majesty the Queen, upon the subject of the railway clause of the Terms of Union of British Columbia with Canada, together with a Resolution adopting the same, which is stated to have been passed at a public meeting recently held in Victoria.

These Documents have been placed in my hands under cover of a letter, a copy of which I also inclose, from Mr. M. W. T. Drake, subscribing himself as Chairman of the said meeting, and at his request, are transmitted to be forwarded for presentation to Her Most Gracious Majesty, through such channel as his Excellency the Governor-General may think proper.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

The Hon. the Secretary of State,
Ottawa.

Inclosure 2 in No. 17.

Sir,

Victoria, British Columbia, June 30, 1874.

I HAVE the honour to inclose to your Excellency, a copy of a Resolution which was passed at a large public meeting held at Victoria, together with the Petition therein referred to, and I have to request your Excellency to forward the Petition to its destination.

I have, &c.
(Signed) M. W. T. DRAKE.

The Lieutenant-Governor,
&c. &c. &c.

Inclosure 3 in No. 17.

Resolution.

Moved by C. Morton, Esq., and seconded by J. F. McCreight, Esq., Q.C.

Resolved—

That the Petition as read be adopted by the Meeting, signed by the Chairman on their behalf, and forwarded through his honour the Lieutenant-Governor to Her Majesty the Queen with a copy of this Resolution.

(Signed) M. W. TYRWHITT DRAKE, *Chairman.*

Inclosure 4 in No. 17.

Petition.

To Her Most Gracious Majesty Queen Victoria, in Council assembled.

The humble Petition of your Majesty's most dutiful and loyal subjects, the inhabitants of Victoria,

Sheweth,

THAT since the year 1867 the subject of Confederation of the Colony of British Columbia with the Dominion of Canada was frequently discussed in the Legislative

Council of the Colony, and in the years 1868 and 1869 resolutions condemnatory of it were passed.

In 1870 a scheme was laid before the Legislative Council by the Governor, which ultimately resulted in the Colony being admitted into the Dominion upon the terms and conditions which received the approval of your Most Gracious Majesty and your Most Honourable Privy Council on the 16th of May, 1871.

The chief condition of those terms was, "That the Government of the Dominion undertake to secure the commencement simultaneously within two years from the date of Union of the construction of a railway from the Pacific towards the Rocky Mountains, and from such a point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of Union.

And the Government of British Columbia agree to convey to the Dominion Government in trust to be appropriated in such a manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway throughout its entire length in British Columbia, not to exceed, however, twenty miles on each side of said line, as may be appropriated for the same purpose by the Dominion Government from the public lands in the north-west Territories and the Province of Manitoba. Provided that the quantity of land which may be held under pre-emption right or by Crown Grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous public lands; and provided further that until the commencement within two years as aforesaid from the date of the Union of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under the right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway the Dominion Government agree to pay to British Columbia from the date of the Union the sum of 100,000 dollars per annum, in half-yearly payments in advance.

The Union took place on the 20th July, 1871. On the 7th June, 1873, the Privy Council of Canada decided "that Esquimalt, in Vancouver Island, be fixed as the Terminus of the Canadian Pacific Railway, and that a line of railway be located between the Harbour of Esquimalt and Seymour Narrows, on the said island." By the same Order in Council application was directed to be made to his Excellency the Lieutenant-Governor of British Columbia for a reservation, and for the conveyance "to the Dominion Government in trust according to the eleventh paragraph of the Terms of the Agreement of Union of a strip of land twenty miles in width along the eastern coast of Vancouver Island between Seymour Narrows and the Harbour of Esquimalt, in furtherance of the construction of the said railway," which reservation was made accordingly on the 1st of July, 1873, by the Government of British Columbia. In this and all other respects the Government of British Columbia has fulfilled every condition required of them by the Terms of Union.

The Dominion Government have already broken their agreement by not commencing the railway within the time specified, that is, July 1873, and they now seek to vary the Terms of Union in such a manner as practically to leave it in their hands to say whether, and when the railway shall be commenced or completed as appears by Section 17 of the Canadian Pacific Railway Act, 1874, and by reference to the Preamble of the same Act, it is evident that the Dominion Government are unwilling to carry out the original compact, and the declared policy with regard to the railway is totally at variance with the Terms of Union of British Columbia.

British Columbia has persistently protested against the action of the Dominion Government on this question.

The only means of communication this Province now has with Ottawa is by the United States at a distance of more than 2,000 miles through foreign Territory, in addition to a sea voyage of 800 miles. And it is felt that the Dominion Government in delaying the commencement and speedy completion of the railway, are defeating the chief object of Confederation, *i.e.*, the immediate Union of the British North American Provinces.

The Dominion Government in failing to fulfil the Terms of Union have already seriously affected the welfare and prosperity of this Province, and caused great discontent, and created a want of confidence in the Canadian Government, and dissatisfaction with Confederation.

The desire of Her Majesty's Government that the British North American Provinces should be united, and the proposed construction of the railway under the sanction and desire of the Imperial authority, were the chief inducements to British Columbia to join the Confederation, relying on the certainty that she should have the protection of your Most Gracious Majesty in seeing that the Terms of Union should be faithfully carried out.

Your Petitioners therefore humbly pray your Most Gracious Majesty to take this, our Petition into your gracious consideration, and to act as Arbitrator, and see that justice be done to British Columbia.

And your Petitioners, as in duty bound, will ever pray, &c.

(Signed) M. W. TYRWHITT DRAKE, *Chairman,*

On behalf of a Public Meeting held at Victoria, British Columbia,
June 18, 1874.

No. 18.

The Earl of Dufferin to the Earl of Carnarvon.

My Lord,

Sault St. Marie, July 31, 1874.

IN further reference to your public despatch of the 18th of June,* which I communicated to my Ministers, I have the honour to inclose an approved Order in Council in which my Government sets forth more at large its views with respect to its pending dispute with British Columbia, and expresses a desire that your Lordship would use your good offices in promoting a settlement of the misunderstanding in accordance with the suggestion you have been good enough to make.

I have, &c.

(Signed) DUFFERIN.

Inclosure 1 in No. 18.

Copy of a Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General on the 23rd July, 1874.

THE Committee of Council have had under consideration the despatch from the Right Honourable the Secretary of State for the Colonies,* relating to the proposed mission of a Member of the British Columbia Government to England, for the purpose of complaining of the alleged non-fulfilment of the terms of Union between that Province and the Dominion as to the construction of the Pacific Railway, and containing an offer on the part of Lord Carnarvon in the following terms:—"If both Governments should unite in desiring to refer to my Arbitration all matters in controversy, binding themselves to accept such decision as I may think fair and just, I would not decline to undertake this service," and further stating that he could not assume such duty, "unless by the desire of both parties, and unless it should be fully agreed that my decision, whatever it may be, shall be accepted without any question or demur;" concluding with a request that in the event of this offer being accepted a statement of the case should be prepared by each Government to be submitted for consideration.

The Committee advise that Lord Carnarvon be informed that the papers already transmitted to the Colonial Office, with the Minute of Council of July 8th, having special reference to Mr. Walkem's communication in Ottawa of the 15th July, convey substantially all that this Government have to say upon the subject, and that the Government would gladly accept his Lordship's offer if it were possible to define with any degree of exactitude the matter in dispute.

When the present Government assumed office, they found that the British Columbia Government had protested against the non-commencement of works of construction on the railway on or before the 20th day of July, 1873, as agreed to in the eleventh section of the Order in Council relating to the Union. They also found that the means taken by the late Dominion Government for proceeding with the works of construction had totally failed, although the works, preliminary to an actual commencement, had been prosecuted with all possible despatch.

There can be no question of the extreme difficulty involved in the survey of a line

of railway across an uninhabited continent, a distance of 2,500 miles. To properly complete this survey and ascertain the best route for the railway would require, not two years simply, but at least five or six years, as all experience of works of this magnitude and character both in the Dominion and elsewhere has sufficiently demonstrated. The expenditure which had taken place up to that time was very large, exceeding 1,000,000 dollars, and yet the engineers had been quite unable to locate any portion of the line in the more difficult parts of the country to be traversed. Under these circumstances the Government conceive that there was no reasonable or just cause of complaint on the part of the British Columbia Government. No other steps could have been taken further than prosecuting the surveys until the assembling of Parliament towards the close of the month of March of this year.

The Government were then prepared with a new Bill, taking ample powers for proceeding with the works as expeditiously as the circumstances of the country would permit. No complaint, official or otherwise, has been made as to the sufficiency of this measure to accomplish the object in view.

It was distinctly understood by the British Columbia Delegation at the time the terms of Union were agreed upon, that the taxation of the country was not to be increased on account of this work beyond the rate then existing.

So anxious, however, were the present Government to remove any possible cause of complaint, that they did take means to increase the taxation very materially in order to place themselves in a position to make arrangements for the prosecution of the initial and difficult portions of the line as soon as it was possible to do so, and at the same time a special confidential agent was deputed to British Columbia for the express purpose of conferring with the Government of that Province, and to endeavour to arrive at some understanding as to a course to be pursued which would be satisfactory to British Columbia and meet the circumstances of the Dominion.

It should be mentioned that before the late Government left office it had been distinctly understood, as one of the results of the visit to England by the Directors of the Allan Company, that an extension of time of at least four years would be absolutely necessary. Mr. Walkem, of British Columbia, quite understood this; and there is reason to believe that it would have been assented to by all parties.

The proposal made through Mr. Edgar to the British Columbia Government is one which the Dominion Government think should have been accepted as reasonable and just, and as one quite in accordance with the moral obligations imposed on this Government, if not with the actual letter of the agreement.

It must be remembered that British Columbia earnestly petitioned the Dominion Government to modify the terms of Union in its own favour in relation to the construction of the Graving Dock. The Dominion Government cordially assented to provide the money for the construction of the work instead of abiding by the agreement to guarantee merely the Provincial Bonds for ten years, as provided by the terms of Union.

This at once shows the liberality of the Dominion Government, and their willingness to consider and meet exceptional circumstances wherever they existed. And this manifestation of liberality on the part of this Government they conceive should have been reciprocated in other matters by the Provincial Government. The Dominion Government were also willing to exceed the terms of Union by constructing a railway on the Island of Vancouver, although they were bound only to reach the "sea-board" of the Pacific.

At the present time the only violation of the terms of the compact which can be alleged is that the works of construction were not actually commenced on the 20th of July, 1873. But it is doubtful if even that allegation can be upheld. It was all but impossible to proceed more rapidly with the work of survey, and a very extravagant expenditure was the result of the haste already shown in endeavouring to locate the line. This may be understood from the fact that the surveys of the Inter-colonial Railway, 500 miles long, occupied not less than four years, though the route was through a settled country; and they were then very incomplete, causing subsequent serious embarrassments to the contractors, and the presentation by them of endless claims for compensation.

Mr. Walkem in his conversations admits frankly that the literal fulfilment of the terms for the completion of the line on a certain day in 1881 cannot be expected. The only questions therefore that can now arise are (1), whether due diligence and expedition have been exerted by the Dominion Government in the prosecution of the work; and (2) whether the offers of compensation for the alleged non-fulfilment of the terms were just and fair.

While expressing a very strong conviction that everything has been done that could possibly be done under the circumstances, and that the Dominion Government have shown a disposition to go far beyond the spirit of the engagement entered into with British Columbia, considering the expressions of opinion by Mr. Trutch as the delegate of British Columbia at the time of the Union, and the facts set forth in the several documents already forwarded to the Colonial Office, the Committee advise that Lord Carnarvon be informed they would gladly submit the question to him for his decision as to whether the exertions of the Government, the diligence shown, and the offers made, have or have not been fair and just, and in accordance with the spirit of the agreement.

The Committee advise that a copy of this Minute be forwarded to the Right Honourable the Secretary of State for the Colonies.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk, Privy Council, Canada.

No. 19.

Colonial Office to Mr. Walkem.

Sir,

Downing Street, August 15, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of the Petition to the Queen, signed by yourself on behalf of the Executive Council of British Columbia, which you left with his Lordship on the occasion of your recent interview with him at this Office.*

After careful perusal of this clearly drawn and temperately expressed statement, and after hearing the further representations which you have since made orally, his Lordship feels that he has before him a full exposition of the views of the Provincial Governments, and he desires me to thank you for the judicious manner in which you have discharged the duty entrusted to you.

Lord Carnarvon will be much pleased if he can be the means of adjusting the differences which have arisen, but the subject abounds in details which require close examination, and his Lordship thinks it may be convenient to you to know that he does not anticipate that he will be able until after two or three weeks to come to a decision as to the course which he should take.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 20.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, August 16, 1874:

WITH reference to my despatch of the 18th June,† I have now to acquaint you that I have seen Mr. Walkem, the Premier of British Columbia, deputed by his Government to represent to me the claims of the Province relative to the delays which have occurred in the construction of the Pacific Railway, the completion of which work within a certain understood time was one of the principal considerations that influenced the Union of British Columbia with the Dominion of Canada in 1871. I will only add on this head that Mr. Walkem laid his case before me in temperate and reasonable terms.

2. I have also received a telegram from the Lieutenant-Governor of British Columbia stating that upon the advice of his Responsible Ministers he accepts, on behalf of British Columbia, the arbitration which I thought it my duty to offer, and the conditions of which I explained to your Lordship in my despatch of the 18th of June.

3. I have further received your despatch of the 31st July‡ inclosing a copy of the report of the Canadian Privy Council of the 23rd of July, in which your Ministers express their readiness to submit for my decision the question whether the exertions of the Dominion Government in the prosecution of the work, the diligence shown, and the

* No. 12.

† No. 6.

‡ No. 18.

offers made by them to British Columbia have, or have not, been fair and just and in accordance with the spirit of the agreement entered into between Canada and British Columbia at the date of Union.

4. I appreciate the confidence which has been thus placed in me by both parties to this controversy, and, so far as lies in my power, I am most desirous of contributing to the settlement of a difference which, although hitherto conducted with great moderation and in a conciliatory spirit on both sides, might easily assume more serious dimensions.

5. I feel sure that the Dominion Government will agree with me, that the sooner this controversy can be closed, the better; and that to arrange matters amicably, and with as little resort as possible to formal procedure, will best promote that object, and will be most congenial to the feelings of all parties.

6. With this view I will proceed to state the case as I understand it, and the impressions which I have formed as to the course that might be taken. The proposals made by Mr. Edgar, on behalf of the Canadian Government, to the Provincial Government of British Columbia, may be stated as follows:—

(1.) To commence at once, and finish as soon as possible, a railway from Esquimalt to Nanaimo.

(2.) To spare no expense in settling, as speedily as possible, the line to be taken by the railway on the mainland.

(3.) To make at once a waggon-road and line of telegraph along the whole length of the railway in British Columbia, and to continue the telegraph across the Continent.

(4.) The moment the surveys and road on the mainland are completed, to spend a minimum amount of 1,500,000 dollars annually upon the construction of the railway within the Province.

7. I am under the impression, after conversing with Mr. Walkem, that he is not fully empowered, on the part of British Columbia, to make specific proposals to the Government of Canada, or to me, as to what terms British Columbia would be willing to accept; but he has stated very clearly, in conversation at this office, the objections entertained by his Government, and in the Province, to the proposals of your Government. And they, or a considerable part of them, are fully set forth in the Petition to the Queen, of which, as it has been published in the "Colonial Press," you no doubt have a copy.

Taking each point *seriatim*, as numbered in the last preceding paragraph but one, I understand it to be urged:—

(1.) That nothing is being done by the Dominion Government towards commencing and pushing on a railway from Esquimalt to Nanaimo.

(2.) That the surveying parties on the mainland are numerically very weak, and that there is no expectation in British Columbia, or guarantee given, on the part of the Dominion, that the surveys will be proceeded with as speedily as possible.

(3.) That the people of British Columbia do not desire the waggon-road offered by the Dominion Government, as it would be useless to them; and that even the telegraph proposed to be made along the line of the railway cannot of course be made until the route to be taken by the railway is settled.

(4.) That "the moment the surveys are completed," is not only an altogether uncertain, but, at the present rate of proceeding, a very remote period of time; and that an expenditure of 1,500,000 dollars a-year on the railway within the Province, will not carry the line to the boundary of British Columbia, before a very distant date.

8. Mr. Walkem further urges that, by section 11 of "The Canadian Pacific Railway Act of 1874," it is competent to the Dominion House of Commons to reject at any time the contract for a section of the railway, and thus to prevent the continuous construction of the work.

9. Referring first to this latter point, I do not understand that it is alleged by Mr. Walkem, nor do I for a moment apprehend that this proviso was introduced with any belief that it would delay the construction of the railway, I conceive that all that was intended by it was to retain the power of exercising an adequate supervision over the financial details of the scheme. Nevertheless, the objection stated by Mr. Walkem appears to me one which the Dominion Government should seriously consider, as their policy in so important a matter ought not to be left open to criticism, and British Columbia may fairly ask, according to the letter and the spirit of past engagements, for every reasonable security that the railway will be completed as speedily as possible.

10. Strong as are doubtless the objections urged by Mr. Walkem to the proposals which I understand Mr. Edgar to have made on behalf of your Ministers, and important as is the subject-matter of controversy, I, as at present advised, can see no reason why

the views of both parties should not be reconciled to their satisfaction, and with justice to all interests concerned.

11. On the one hand, I cannot entertain the least doubt of the sincere intention of the Canadian Government and Parliament to adhere as closely as possible to the pledges given to British Columbia at the time of the Union, to do that which is just and liberal towards the Province, and, in fact, to maintain the good faith of the Dominion in the spirit, if not in the letter, of the original agreement, under circumstances which I admit to be of no ordinary difficulty.

12. On the other hand, however, it would be unfair to deny that the objections stated by Mr. Walkem have a certain foundation and force, and I have every confidence that, in order to obtain the settlement of a question of such vital importance to the interests of the whole Dominion, the Canadian Government will be willing to make some reasonable concessions such as may satisfy the local requirements of British Columbia, and yet in no way detract from the high position which the Dominion Parliament and Government ought, in my judgment, to occupy.

13. I am of opinion, therefore, on a general review of all the considerations of the case, and as an impartial but most friendly adviser, who, if I may be allowed to say so, has the interests of both parties and the prosperity of the whole Dominion deeply at heart, that the following proposals would not be other than a fair basis of adjustment.

14. (1.) That the section of the railway from Esquimalt to Nanaimo should be begun at once.

(2.) That the Dominion Government should greatly increase the strength of the surveying parties on the mainland, and that they should undertake to expend on the surveys, if necessary for the speedy completion of the work, if not an equal sum to that which they would expend on the railway itself, if it were in actual course of construction, at all events some considerable definite minimum amount.

(3.) Inasmuch as the proposed waggon road does not seem to be desired by British Columbia, the Canadian Government and Parliament may be fairly relieved of the expense and labour involved in their offer; and desirable as, in my opinion, the construction of the telegraph across the Continent will be, it perhaps is a question whether it may not be postponed till the line to be taken by the railway is definitively settled.

(4.) The offer made by the Dominion Government to spend a minimum amount of 1,500,000 dollars annually on the railway within British Columbia as soon as the surveys and waggon-road are completed, appears to me to be hardly as definite as the large interests involved on both sides seem to require. I think that some short and fixed time should be assigned within which the surveys shall be completed, failing which some compensation should become due to British Columbia for the delay.

15. Looking, further, to all the delays which have taken place, and which may yet perhaps occur, looking also to the public expectations that have been held out of the completion of the railway, if not within the original period of ten years fixed by the Terms of Union, at all events within fourteen years from 1871, I cannot but think that the annual minimum expenditure of 1,500,000 dollars offered by the Dominion Government for the construction of the railway in the Province is hardly adequate. In order to make the proposal not only fair, but as I know is the wish of your Ministers, liberal, I would suggest for their consideration whether the amount should not be fixed at a higher rate, say, for instance, at 2,000,000 dollars a-year.

16. The really important point, however, not only in the interests of the Province, but for the credit of the Dominion and the advantage of the Empire at large, is to assure the completion of the railway at some definite period, which, from causes over which your Ministers have had no control, must now, I admit, be much more distant than had originally been contemplated; and I am disposed to suggest as a reasonable arrangement, and one neither unfair to the Dominion nor to British Columbia, that the year 1890 should be agreed upon for this purpose. In making this suggestion I, of course, conclude that the Dominion Government will readily use all reasonable efforts to complete the line before any extreme limit of time that may be fixed. A postponement to the very distant period which I have mentioned could not fail to be a serious disappointment to the people of the Province and to all interested in its welfare; and I should not have suggested it were it not for the full confidence which I feel in the determination of your Ministers to do not merely the least that they may be obliged, but the utmost that they may be able in redemption of the obligations which they have inherited.

17. I have now only to repeat the strong desire which I feel to be of service in a matter, the settlement of which may be either simple or difficult according to the spirit

in which it is approached, a question directly bearing upon the Terms of Union may, if both parties to it will waive some portion of their own views and opinions, be well intrusted to the Imperial authority which presided over that Union, and not improperly, perhaps, to the individual Minister whose fortune it was to consider, and in some degree to shape, the details of the original settlement under which the Provinces of British North America were confederated, and British Columbia ultimately brought into connection with them. If, indeed, the expression of a personal feeling may, in such a case as this, be indulged, I may perhaps be allowed to say how sincerely I prize the recollection of the share which I was then permitted to have in that great work, how deeply I should grieve to see any disagreement or difference impair the harmony which has been so conspicuously maintained by the wisdom and good feeling of all parties, and how entirely your Lordship and your Ministers may count upon my best efforts in furtherance of every measure that can contribute to the strength and honour of the Dominion of Canada.

18. It will be very convenient if your Government should feel able to reply by telegraph, stating generally whether the modifications which I have proposed, and which seem to me consistent with the present conditions of the question and with the true construction of the policy adopted by them, are in the main acceptable to them, in order that no unnecessary delay may take place in bringing this matter to a conclusion.

I have, &c.
(Signed) CARNARVON.

No. 21.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, August 29, 1874.

I HAVE received and have read with much interest the report by Mr. Sandford Fleming, Engineer-in-chief, of the progress up to January 1874 of the explorations and surveys which have been made under his direction in connection with the Canadian Pacific Railway, which your Lordship has forwarded for my information.

I notice with satisfaction the generally favourable results obtained by the survey, and I congratulate the Dominion on the conclusions arrived at by the Engineer-in-chief as to the practicability of establishing railway communication across the Continent wholly within the limits of the Dominion, and the generally favourable engineering features of the country through which the railway will pass.

I have, &c.
(Signed) CARNARVON.

No. 22.

Lieutenant-Governor Trutch to the Earl of Carnarvon.—(Received September 1.)

My Lord,

Government House, British Columbia, August 3, 1874.

I HAVE the honour to state that on the 28th ultimo I received and laid before my Responsible Advisers a copy of your Lordship's despatch of June 18th* to Governor-General the Earl of Dufferin upon the pending difference between this Province and the Government of Canada, in relation to the Railway Article of the Terms of Union, which despatch was transmitted to me by Lord Dufferin on the 3rd ultimo in accordance with your Lordship's instructions.

I now inclose a Minute of the Executive Council of this Province on your said despatch, and upon the advice of my Ministers therein expressed, I beg to signify my cordial acceptance on behalf of the Government of British Columbia of your Lordship's proffered arbitration in accordance in all respects with the conditions laid down by you in your said despatch, and to state that I have to day dispatched a telegraphic message to you to this effect, of which a copy is appended.†

* No. 6.

† No. 15.

A copy of this despatch and the inclosures therewith will be sent by this mail to the Secretary of State for Canada for the information of the Governor-General of Canada.

I have, &c.
(Signed) JOSEPH W. TRUTCH.

Inclosure in No. 22.

Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Lieutenant-Governor, on the 3rd day of August, 1873.

THE Committee of Council have had under consideration the proposal for a reference to arbitration of the question between the Province and the Dominion Government respecting the fulfilment of the Terms of Union contained in the despatch of 18th June, 1874, from the Right Honourable the Earl of Carnarvon, Her Majesty's Principal Secretary of State for the Colonies, to his Excellency the Governor-General, a copy of which has been transmitted for the information of your Excellency, and referred to them for report.

In this despatch the Secretary of State observes that he is strongly impressed with the importance of neglecting no means that can properly be adopted for effecting the speedy and amicable settlement of a question which cannot without risk and obvious disadvantage to all parties remain the subject of prolonged, and it may be, acrimonious, discussion.

That it has occurred to him that, as in the original terms and conditions of the admission of British Columbia into the Union, certain points were reserved for the decision of the Secretary of State, so in the present case it may be possibly acceptable to both parties that he should tender his good offices in determining the new points which have presented themselves for settlement.

That, if both Governments should unite in desiring to refer to his arbitration all matters in controversy, binding themselves to accept such decision as he may think fair and just he would not decline to undertake this service.

That the duty which, under a sense of the importance of the interests concerned, he has thus offered to discharge, is of course a responsible and difficult one, which he could not assume unless by the desire of both parties, nor unless it should be fully agreed that his decision, whatever it may be, shall be accepted without any question or demur.

The Committee concur with the Secretary of State in regretting that a difference exists between the Dominion and this Province in regard to the railway, and that it is most desirable for all parties that all the questions in controversy should receive a speedy and amicable settlement, and they are of opinion that a reference to arbitration is the course of all others most likely to lead to so desirable a result.

They therefore advise the cordial acceptance by your Excellency of the arbitration of the Secretary of State in accordance with the conditions laid down in his Lordship's despatch of the 18th June, 1874, and should this report be approved they recommend that the acceptance by this Government on behalf of British Columbia of the arbitration of the Right Honourable the Secretary of State for the Colonies be immediately communicated by your Excellency to that Minister by telegraph and by mail, and that copies of such communications be transmitted simultaneously to the Secretary of State for Canada for the information of his Excellency the Governor-General.

Certified,
(Signed) W. J. ARMSTRONG, *Minister of Finance, and
Clerk to the Executive Council.*

No. 23.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, September 4, 1874.

I HAVE received your despatch of the 31st of July,* forwarding a Petition addressed to the Queen by the inhabitants of Victoria, British Columbia, at a meeting held on the 18th of June, and signed by the Chairman, respecting the non-fulfilment by Canada of the terms on which British Columbia became a Province of the Dominion

* No. 17.

I request that you will cause the petitioners to be informed that their Petition has been laid before Her Majesty, who has been pleased to receive it very graciously; and that the subject to which it relates is receiving the careful consideration of Her Majesty's Government.

I have, &c.
(Signed) CARNARVON.

No. 24.

Mr. Walkem to Colonial Office.

*Office of the British Columbia Government, 4, Lime Street Square,
London, September 10, 1874.*

My Lord,

IN a letter of the 15th of August last,* acknowledging the receipt of the petition to Her Majesty of the Committee of the Executive Council of British Columbia, your Lordship was pleased to inform me that you did not anticipate that you "would be able, until after two or three weeks, to come to a decision as to the course which you should take" upon the subject matter of the Petition.

As the time mentioned has now expired, may I request your Lordship to be good enough to inform me of the conclusion, if any, which you may have arrived at.

I have, &c.
(Signed) GEO. A. WALKEM.

No. 25.

Colonial Office to Mr. Walkem.

Sir,

Downing Street, September 14, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 10th instant,† and to express to you his regret that he is not at present in a position to communicate to you any decision in regard to the petition of the Executive Council of British Columbia.

I am, &c.
(Signed) W. R. MALCOLM.

No. 26.

The Earl of Dufferin to the Earl of Carnarvon.—(Received September 30.)

My Lord,

Canada, September 18, 1874.

IN acknowledging the receipt of your Lordship's despatch of the 16th of August,‡ in which you have been good enough to convey to me your opinion as to the modifications which might be introduced with advantage into the terms already proposed by my Ministers, for the settlement of the dispute now pending between this Government and that of British Columbia, I have the satisfaction of informing you that after a good deal of anxious deliberation Mr. Mackenzie and his colleagues have consented to adopt the several suggestions recommended to them by your Lordship, should it be found absolutely impossible to terminate the controversy in any other manner.

2. The general view of my Ministers on the various points referred to are set forth at large in the inclosed Order in Council, from which your Lordship will gather that it is with very considerable reluctance they have been induced to make these further concessions, feeling so strongly as they do that their original proposals fairly satisfied the requirements of the case.

3. I have no doubt, however, it will be felt throughout the country that the only mode by which the Dominion could be satisfactorily extricated from the false position in which she was placed by her Treaty obligations to fulfil engagements which were physically impossible of execution, was by a large and generous interpretation of the consequent claims against her.

* No. 18.

† No. 24.

‡ No. 20.

4. I have further the honour to transmit a sketch map* of the area now under exploration in British Columbia, accompanied by a Memorandum by Mr. Fleming, the Engineer-in-chief, by which it will be perceived that every effort is being made to hurry forward the surveys with all possible despatch, and that the employment of any additional staff would uselessly increase the expense without forwarding the work.

I am, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 26.

Copy of a Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General on the 17th day of September, 1874.

THE Committee of Council have had under consideration the despatch of the Right Honourable Lord Carnarvon, relating to the complaints of the British Columbian Government with respect to the Pacific Railway, and suggesting certain modifications of the proposals made by the Dominion Government, through Mr. Edgar, on the 8th of May last.

These proposals were prompted by a desire to provide against future difficulty in view of the then well ascertained fact that the terms of union had become impossible of literal fulfilment on the one hand, and, on the other hand, giving due weight to the very strong feeling entertained against the fatal extravagance which these terms involved to the country.

The proposals may be thus summarized :—

1st. To build a railway from Esquimalt to Nanaimo, on Vancouver Island, in excess of the terms of union, and to begin the work immediately.

2nd. To commence the construction of the railway on the Mainland as soon as the surveys could be completed, and to expend on the work not less 1,500,000 dollars annually.

3rd. To take the necessary steps meanwhile to secure the construction of a telegraph line across the continent on the located line for the railway, at the same time cutting out the railway track and building thereon a trail or road, which would subsequently become available as part of the permanent works.

The arrangements proposed by Lord Carnarvon embody some amendments. His Lordship suggests :—

1st. The immediate construction, as proposed, of the short line on Vancouver Island.

2nd. After the location of the line, the expenditure of 2,000,000 dollars on the Mainland, instead of 1,500,000 dollars.

3rd. The increase of the engineering force to double the number now employed; the expenditure on the survey, if not of an amount equal to the proposed annual expenditure on construction, of some other specific sum; the prescribing of a limited time for the completion of the survey; and the payment of a sum of money as compensation in the event of its not being so completed.

4. The guarantee of the completion of the entire railway in 1890.

It is also suggested that the construction of the telegraph line and road need not be proceeded with, as Mr. Walkem does not consider either as of any use to the Province.

The Committee recommend that the first condition, which is precisely what was previously offered, be again concurred in.

In regard to the second proposal, the Committee recommend that Lord Carnarvon be informed (if it be found impossible to obtain a settlement of the question by the acceptance of the former offer) that the Government will consent that, after the completion of the survey, the average annual minimum expenditure on the mainland shall be 2,000,000 dollars.

There is every reason to believe now that a majority of the people of Columbia would accept the propositions previously made.

Judging from a petition sent from the Mainland, signed by 644 names (a copy of which petition is inclosed), there is almost an entire unanimity there in favour of these proposals; and assurances were given very lately by gentlemen of the highest position on the island that the course of the Local Government would not meet general approval there.

An application was made by one prominent gentleman, an ex-member of Parliament,

to the Government here, to know if the proposals made would still be adhered to, he pledging himself to secure their acceptance by the bulk of the people. It is, therefore, earnestly hoped that no change will be considered necessary, as it will be difficult to induce the country to accept any further concessions.

The third condition requires an increase of the engineer force employed on the surveying surface; the completion of the survey within a specific time; and, in case that time should be exceeded, the payment to the Province of a money compensation.

The Committee respectfully submit that the result aimed at by the foregoing suggestion is already being accomplished with the utmost dispatch admitted by the circumstances of the case.

The Chief Engineer was instructed to provide all the assistance he required, in order to complete the surveys within the shortest possible period, and he engaged a large force—a force larger, indeed, than can with profit be employed until the route is definitely determined.

Whatever may be the route finally chosen, the line will of necessity traverse a country with exceedingly rough topographical features for a distance of 500 or 600 miles, from the eastern slope of the Rocky Mountains to the extreme limit of the province on the Pacific.

The country is an immense plateau, which maintains its general elevation to within a few miles of the sea, but often rises into unshapely mountain ranges; some of these ranges tower to a height of over 9,000 feet.

The boundary of the plateau on the west is the Cascade Range; this forms a huge sea wall along the coast, and has interposed a much more formidable obstacle to the surveyors than the Rocky Mountains.

Attempts have been made at five or six points to pierce the barrier, but, except at the Fraser River, and at Bute Inlet, without success.

From the results of last year's explorations, the Bute Inlet route seemed on the whole to be the best; but it is not disassociated with serious difficulties. For a distance of 20 miles the ascent or grade is about 150 feet to the mile.

The straits which form the approach to the harbour from seaward are encumbered by islands, and, when reached, the harbour is found to be destitute of anchorage. The dangers of navigation are increased not alone by the precipitous and rocky shores, but by the rapidity of the tide, which rushes through the narrow channels with a velocity of from seven to nine miles an hour.

It was supposed, when work was resumed last spring, that a practicable route would be found from the point where Fleming's line touches the north branch of the Thompson River westward towards what is known as Big Bend, on the Fraser River, from which no serious impediment exists until the commencement of the rapid descent to the sea at Bute Inlet is reached. Had this supposition proved correct, it is probable the Government might have been prepared at the end of this year to proceed with the exact location of the line; but the explorations carried on to the close of July last resulted in the discovery of a high range of mountains which fill the country from near the junction of the Clearwater with the Thompson northward to the great bend of the Fraser, and, without a very long detour south or north, they bar the way to the west.

The chief engineer, therefore, advised a re-examination of the Fraser valley, or, more correctly speaking, ravine, inasmuch as no broad valley anywhere exists, the rivers in their courses having cleft ways for themselves through the rocks, which in some cases they have pierced to a depth of 1,500 feet, by a width of not more than a single mile, thus giving as the normal condition exceedingly precipitous banks.

This new examination of the Fraser River route will occupy at least the whole season.

A memorandum from the Chief Engineer will give the strength of the force, and show its distribution.

Nearly two seasons were passed in examining the Rocky Mountain range and the valley of the Columbia, in the endeavour to obtain a favourable pass. The result was that the explorers were driven north to what is known as Jasper House Pass.

These facts are mentioned to give some idea of the enormous labour involved, and the impossibility of placing a larger force in the field to do engineering work, when it is not yet known where the engineering work is to be done.

The exploratory survey must be tolerably complete before the exact location of any portion of the line can be contemplated or possible, and before plans can be made of bridges and other works of construction required, and nothing but the urgency of the contract so imprudently entered into with British Columbia would otherwise have induced the Government to employ more than half the force now engaged.

As pointed out in previous memorandum, the expenditure to the end of last year in British Columbia alone was considerably over half a million of money, more than the whole expenditure upon the 2,000 miles eastward of that Province.

The Chief Engineer was informed last winter that it was the desire of the Government to have the utmost expedition used in prosecuting and completing the surveys, and in the engagements which he has entered into these directions have been fully considered.

The fourth condition involves another precise engagement to have the whole of the railway communication finished in 1890. There are the strongest possible objections to again adopting a precise time for the completion of the line. The eastern portion of the line, except so far as the mere letter of the conditions is concerned, affects only the Provinces east of Manitoba, and the Government have not been persuaded either of the wisdom or the necessity of immediately constructing that portion of the railway which traverses the country from the west end of Lake Superior to the proposed eastern terminus on Lake Nipissing, near Georgian Bay. Nor is it conceived that the people of British Columbia could with any show of reason whatever insist that this portion of the work should be completed within any definite time, inasmuch as if the people who are chiefly, if not wholly, affected by this branch of the undertaking are satisfied, it is maintained that the people of British Columbia would practically have no right of speech in the matter.

It is intended by the Government that the utmost diligence shall be manifested in obtaining a speedy line of communication by rail and water from Lake Superior westward, completing the various links of railway as fast as possible, consistent with that prudent course which a comparatively poor and sparsely settled country should adopt.

There can be no doubt that it would be an extremely difficult task to obtain the sanction of the Canadian Parliament to any specific bargain as to time, considering the consequences which have already resulted from the unwise adoption of a limited period in the terms of union for the completion of so vast an undertaking, the extent of which must necessarily be very imperfectly understood by people at a distance.

The Committee advise that Lord Carnarvon be informed that, while in no case could the Government undertake the completion of the whole line in the time mentioned, an extreme unwillingness exists to another limitation of time; but if it be found absolutely necessary to secure a present settlement of the controversy by further concessions, a pledge may be given that the portion west of Lake Superior will be completed so as to afford connection by rail with existing lines of railway, through a portion of the United States and by Canadian waters, during the season of navigation by the year 1890, as suggested.

With regard to the ameliorating proposal to dispense with the formation of a road or trail across the country, and the construction of a telegraph line, on the representation of the British Columbia delegate that neither is considered necessary, it is proper to remark that it is impossible to dispense with the clearing out of a track and the formation of a road of some sort in order to get in the supplies for the railway; and the proposal was that so soon as the general route of the railway could be determined and the location ascertained, a width of two chains should be cleared out in the wooded districts, a telegraph line erected, and that a sort of road passable for horses and rough vehicles should be formed and brought into existence, not as a road independent of the railway, but as an auxiliary to, and necessary preliminary to railway construction, the cost incurred forming part, indeed, of the construction of the railway itself.

In so vast a country, where there are no postal facilities, and where there can be no rapid postal communication for many years hence, it is absolutely essential that a telegraph line should be erected along the proposed route, as the only means by which the Government and contractors could maintain any communication. The offer, therefore, to dispense with a telegraph line is one which cannot be considered as in any way whatever affording relief to the Dominion; the undertaking to construct the telegraph line must rather be looked upon as an earnest of the desire of the Government to do everything in reason in order to keep within the spirit of its engagement.

The intention of the Government will be seen from the following quotation from the Act of last Session.—

“A line of electric telegraph shall be constructed in advance of the said railway and branches along their whole extent respectively, as soon as practicable after the location of the line shall have been determined upon.”

Having dealt with the modifications suggested by Lord Carnarvon, it is proper to notice *seriatim* the several grounds of complaint as stated in the despatch.

1st. "That nothing is being done by the Dominion Government towards commencing and pushing on a railway from Esquimaux to Nanaimo."

The Dominion has no engagement to build such a railway, and, therefore, there can be no just complaint that it is not commenced. The construction of such a railway was offered only as compensation for delay in fulfilling the engagement to build a railway to the "Pacific Seaboard."

2nd. "That the surveying parties on the Mainland are numerically weak, and that there is no expectation in British Columbia, or guarantee given, that the surveys will be proceeded with as speedily as possible."

On this point it is sufficient to state that, as remarked elsewhere, the utmost expedition possible has been used, and that the allegations in the Petition are incorrect."

3rd. "That the people of British Columbia do not desire the waggon road offered by the Dominion Government, as it would be useless to them; and that even the telegraph proposed to be made along the line of the railway cannot, of course, be made until the route to be taken by the railway is settled."

It may be noticed in connection with this extraordinary statement that the construction of such a road was one of the conditions imposed by the Local Legislature in their resolutions adopted as the basis whereon to negotiate the terms of Union.

It would, therefore, seem that such a declaration now is intended more to lessen the value of the proposals made to British Columbia than to indicate public sentiment in the Province. As pointed out elsewhere, the work is practically a part of railway construction, and it is also confidently believed will be of very great advantage to the people generally.

4th. Mr. Walkem further urges, "That by section 11 of the Canadian Pacific Railway Act of 1874, it is competent to the Dominion House of Commons to reject at any time the contract for a section of the railway, and thus to prevent the continuous construction of the work."

This is simply a complaint that the present Government provided for parliamentary supervision over the letting of such vast contracts. It was contended by the opposition in 1872 that, in the matter of a contract for so large a work, for which the Dominion was to pay 30,000,000 dollars and allot nearly 60,000,000 acres of land, the formal sanction of Parliament should be obtained. Accordingly, when it became their duty, under altered political circumstances, to submit a new measure to Parliament in lieu of the one which had failed of success, they were bound to secure by statutory enactments full control to Parliament over the letting of the contract or contracts.

In all extraordinary contracts entered into by the Government of England or Canada, this course has been followed, as, for instance, in contracts for the conveyance of mails by ocean steamers.

It will also be apparent that no Government decision could prevent future parliamentary action.

The insertion of this section, therefore, is in pursuance of a well settled public policy not to permit the Executive too extensive powers without specific parliamentary sanction; and even the present opposition demanded that the restriction should apply to the minor works on the branches provided for in the Act.

Neither the Canadian Government nor Parliament can be suspected of having inserted such a clause for the improper purpose of using it to retard progress otherwise possible.

Nothing has occurred which could justify such a suspicion. Since the passage of the Act the Government have placed the grading of the Pembina branch under contract, and hope soon to place the Nipissing branch under contract.

The contracts for the telegraph line from Fort William to the existing telegraphic stations in British Columbia will be closed in a few days.

It only remains to say that the Government, in making the new proposals to British Columbia, were actuated by an anxious desire to put an end to all controversy, and to do what is fair and just under very extraordinary circumstances; and that these proposals embraced the most liberal terms that public opinion would justify them in offering.

It is proper further to remark that there has been no just cause of complaint at all, inasmuch as the report of the chief engineer shows that nothing more could have been done to forward the work.

The Act passed last session is a very complete one and amply provides for the construction of the railway, subject to the parliamentary supervision referred to.

The lot of British Columbia is cast in with the other North American Provinces, and it becomes the duty of all the Confederated Provinces to consider to some extent the

general welfare. It is especially the duty of the smaller provinces to defer somewhat to the opinions of the old and populous Provinces from which the revenue for the building of all such works is derived.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk Privy Council.

Copy of Petition.

That in view of the action taken by an Association calling itself "The Terms of Union Preservation League," meeting in the City of Victoria, on Vancouver Island, in Petitioning Her Most Gracious Majesty the Queen, relative to the non-fulfilment of one of the conditions of the Terms of Union, and affirming in said Petition that Esquimalt, on Vancouver Island, had been decided to be the Terminus of the Canadian Pacific Railway, and that a portion of the line had been located between the Harbour of Esquimalt and Seymour Narrows, and praying that Her Majesty act as Arbitrator, and see that justice be done to British Columbia; we, the Undersigned, respectfully submit as follows:—

That, in our opinion, the Order of the Privy Council of Canada, of 7th June, 1873, is in no way binding upon your Excellency's present Government, and that a line of railway along the seaboard of Vancouver Island to Esquimalt is no part of the Terms of Union:

That in any arrangement which may be entered into for an extension of time for the commencement or completion of the railway, any consideration granted by the Dominion of Canada to the Province of British Columbia should be such as would be generally advantageous to the whole Province, and not of a merely local nature, benefitting only a section thereof:

That the League referred to, acting under the impression that further surveys may detract from the favourable opinion now entertained by the Engineers of the Bute Inlet route, are desirous of forcing your Excellency's Government into an immediate selection:

That we consider it would be unwise, impolitic, and unjust to select any line for the railway until time be given for a thorough survey of the different routes on the mainland, believing, as we do, that such survey must result in the selection of the Fraser Valley route, which is the only one that connects the fertile districts of the interior with the seaboard:

That, as it is evident that the surveys are not yet sufficiently advanced to allow of an intelligent decision on the question of route being arrived at, we consider that a vigorous and immediate prosecution of the surveys by your Excellency's Government, to be followed in 1875 by the commencement of construction on the mainland, will be a faithful carrying out of the spirit of the Terms of Union:

Your Petitioners, therefore, humbly pray that your Excellency take the views expressed in this our Petition into your most favourable consideration.

Inclosure 2 in No. 26.

Memorandum for his Excellency the Governor-General.

Surveys in British Columbia.

THE following is a list of the engineering parties at present engaged in British Columbia in connection with the survey of the Canadian Pacific Railway:—

- (A.) From Tête Jaune Cache, down the valley of the North Fraser towards Fort St. George. Engineer in charge, E. W. Jarvis.
- (B.) From Fort George up the North Fraser to meet party (A). Engineer in charge, H. P. Bell.
- (C.) From Fort George across to Tatla Lake. Engineer in charge, C. H. Gamsby.
- (D.) From Yale along the Canons of the Lower Fraser. Engineer in charge, H. J. Cambie.
- (E.) From Yale to Burrard Inlet. Engineer in charge, John Trutch.
- (F.) From Dean Inlet across the Cascade Chain. Explorer, C. Horetzky.
- (G.) From Fort George westerly through unexplored region to Gardener and Dean Inlets. Marcus Smith in charge of expedition.

On the accompanying map I have indicated by a green tint the position of the several parties, as well as the work under examination this year.

It is expected that about 450 miles of line will have been instrumentally surveyed in British Columbia during the present year, and probably not less than 700 miles in addition explored. The number of persons of all grades engaged in the work of survey during the present season in the province of British Columbia is, as far as can be ascertained, about 300.

A large staff has been engaged on the work of exploration and surveying ever since July 1871.

The Commissariat Branch has required and employed each year about 400 mules and horses. At the date of last advices 350 of these animals were then actually at work in forwarding supplies to the surveying parties in different remote sections of the province.

Every effort has been made to obtain information respecting the engineering features of the country and enable the Government to come to a decision respecting the most eligible route for the railway.

The work of survey has, in fact, been unduly forced in order to get the desired information with the least possible delay.

(Signed) SANDFORD FLEMING,
Engineer-in-Chief.

Canadian Pacific Railway, Office of the Engineer-in-Chief,
September 15, 1874.

No. 27.

Mr. Walkem to the Earl of Carnarvon.

My Lord,

London, October 31, 1874.

I NOW beg leave respectfully to offer, for your Lordship's consideration, a recapitulation and review of the main points of the question at issue between Canada and British Columbia, respecting the breach by the former of the Railway Agreement in the Terms of Union.

Although I have been favoured by your Lordship with many and lengthened interviews on this subject, I hope that the grave nature of the interests committed to my care, as well as the important influence which your Lordship's action at the present time is sure to exercise upon the political and industrial growth of the Province, will be of sufficient excuse for again troubling you.

A written communication of the kind proposed may also usefully serve to define more clearly some of the views, which I have advocated on behalf of the Province.

Before proceeding further, I trust that I may be permitted to tender the expression of my grateful sense of the attention with which your Lordship has been pleased to receive, not only the statement of the case of British Columbia set forth in the Petition of its Government, but also the comments upon it which I have from time to time made.

The Provincial Government will be glad to learn—what your Lordship has been good enough to state—that you have been gratified with the temperate spirit in which their case has been presented for the consideration of Her Majesty's Government.

It was, as I had the honour to mention at my first interview, with a strong feeling of regret, that the Government of the Province felt themselves under the necessity of seeking the advice and intervention of Her Majesty's Government in this matter. The Provincial Government desired to work in harmony with the Dominion Government, and I may safely say that such intervention would not have been sought, had a sufficient effort been made by the Dominion to comply with the spirit of the Railway Agreement.

The key to the general policy of Her Majesty's Government, in relation to British North America, is, so far as I understand, to be found in the preamble of the Act of Confederation, which briefly declares that "Union would conduce to the welfare of the Provinces federally united and promote the interests of the British Empire." The Imperial policy thus declared has also been the policy of Canada. British Columbia likewise has endeavoured on her part loyally to follow it. It is from a due regard for the principles laid down in the Confederation Act, and from a natural, and I hope, proper desire to protect her

own special interests as a Province, that British Columbia has protested against the non-fulfilment by Canada of the Railway Agreement of the Terms of Union.

This Railway Agreement, while purposely and in part framed, as I shall hereafter show, to promote the interests of British Columbia, is not an agreement for the construction of a railway within merely provincial limits for simply provincial purposes. It is an agreement of a much more comprehensive character designed, in fact, mainly to advance, and indeed to effect, a real Union and consolidation of the British Possessions on the Continent of North America. In the attainment of this great end, British Columbia is, owing to her present isolation, especially interested.

A short reference to a few facts which led to the Union of the Province with Canada will best explain her true position.

In pursuance of the general Confederation policy declared in 1867, Her Majesty's Government in 1869 addressed a despatch to the Governor of British Columbia, expressing a desire that British Columbia should be incorporated with Canada. This despatch not only restates the principles set forth in the Confederation Act, but also shows in what respect they are peculiarly applicable to British Columbia. The following is a quotation from the despatch:—

"Her Majesty's Government," writes the Secretary of State, "anticipate that the interests of every Province of British North America will be more advanced by enabling the wealth, credit, and intelligence of the whole to be brought to bear on every part, than by encouraging each in the contracted policy of taking care of itself, possibly at the expense of its neighbour.

"Most especially is this true in the case of internal transit. It is evident that the establishment of a British line of communication between the Atlantic and Pacific Oceans is far more feasible by the operations of a single Government responsible for the progress of both shores of the Continent, than by a bargain negotiated between separate, perhaps in some respects rival, Governments and Legislatures. The San Francisco of British North America would under these circumstances hold a greater commercial and political position than would be attainable by the capital of the isolated Colony of British Columbia.

"Her Majesty's Government are aware that the distance between Ottawa and Victoria presents a real difficulty in the way of immediate Union. But that very difficulty will not be without its advantages, if it renders easy communication indispensable, and forces onwards the operations which are to complete it. In any case it is an understood inconvenience, and a diminishing one, and it appears far better to accept it as a temporary drawback on the advantages of Union, than to wait for those obstacles, often more intractable, which are sure to spring up after a neglected opportunity."

Here four propositions are laid down:—

1st. That the Canadian Federal system is based upon a union of the "wealth, credit, and intelligence" of the several Provinces, which will, when properly applied, promote the welfare of each.

2nd. That to secure this result, "easy * * * internal * * * communication" through British territory "is indispensable."

3rd. That the absence of this "easy * * * internal * * * communication," and "the distance between Ottawa and Victoria" constitute "a real difficulty in the way of immediate union."

4th. That this "real difficulty" will operate as a mere "temporary drawback on the advantages of union," as it will be sure to "force onwards" those "operations" necessary to remove it.

It is to hasten the removal of this "temporary drawback," and to "force onwards," in the sense of the above despatch, these necessary operations, which have been long deferred, that the Government of British Columbia have sought the intervention of Her Majesty's Government.

The strength of the above propositions, viewed in connection with the general confederation policy, was fully recognized by the then Government of the Dominion. They agreed with Her Majesty's Government, that without "easy communication" and "internal transit" between Ottawa and Victoria, the union of British Columbia and Canada could not be effective. Afterwards, when the whole matter was practically studied by the Government of the Dominion, it seems to have been their decided opinion that "easy communication" across the Continent could mean nothing less than a railway; and that, with respect to British Columbia, the

“temporary drawback on the advantages” of confederation, mentioned by Her Majesty’s Government, should not be allowed to last for more than ten years from the date of Union.

Hence the Dominion undertook “to secure the commencement simultaneously,” on the 20th July, 1873, “of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from” July, 1871. And British Columbia, on her part, entered into certain obligations in favour of the Dominion, with regard to the public lands of the Province. The word “simultaneously,” which appears in this agreement, was designedly inserted with two objects:—

1st. That Canada should commence construction works at the two most available points, and thus ensure the early and rapid progress of the railway; and

2ndly. That the admitted disadvantages under which British Columbia would labour until the completion of the main line should to some extent be counter-balanced by the benefits of early expenditure upon railway works in the Province.

The agreement thus entered into was inserted in, and formed the most essential part of, the Terms of Union mutually accepted, in 1871, by British Columbia and Canada. These terms were placed before the people of the Province at a general election. They were shortly afterwards considered and formerly approved by the Provincial Legislature. They were subsequently fully debated and accepted by both Houses of the Parliament of Canada; and they were finally sanctioned and ratified by Her Majesty in Council. No question, therefore, could have been more thoroughly ventilated; no conclusion more deliberately arrived at. As a strong practical proof of the continued interest felt by Her Majesty’s Government in the success of the Confederation thus established, the Imperial Parliament, in July, 1873, guaranteed a loan of 3,600,000*l.*, to be raised by Canada mainly for the construction, among other public works, of the Canadian Pacific Railway.

It may now be useful to present to your Lordship a brief statement of the manner in which the conditions of the Railway Agreement have been observed.

The Petition of the Government of British Columbia shows the following facts:—

That the Province has fulfilled her part of the agreement; and has endeavoured to aid the Dominion Government to carry out their part;

That the Dominion Government have not, during the three years succeeding Union, made due effort to complete the railway surveys in British Columbia;

That the Dominion Government did not, on the 20th July, 1873, commence the “simultaneous” railway construction provided for in the agreement;

That they also have hitherto failed to commence any railway construction whatsoever in the Province, though they might have commenced such construction, as they admitted in May last that they were then in a position to begin the railway.

Some further circumstances connected with these matters are detailed in the Petition. It is therein shown that in June 1873 the Dominion Government selected the harbour of Esquimalt, on the Pacific, as the western terminus of the Canadian Pacific Railway; that they at the same time decided that a portion of the main line should be “located” between this terminus and Seymour Narrows; that some weeks prior to the day named in the Agreement for the commencement of the construction of the main line, they secured from the Provincial Government “in furtherance of such construction” a reserve of a valuable tract of land lying along this projected line and some 3,000 square miles in area; that, as already stated, no construction whatsoever was or has been commenced within the Province; that, the land so reserved has been thus rendered comparatively valueless to the Province, as it has ever since been closed to settlement and to the investment of capital.

Against the continuance of the above state of things, the Province, through its Legislature and its Government, from time to time entered protest after protest, but without effect, and without even eliciting any reply from the Dominion Government beyond a formal acknowledgment of the receipt of the despatch inclosing each protest. The last protest was forwarded in February of the present

year. Subsequently the correspondence took place which is appended to the Petition. From the questions raised by this correspondence, all those which are unimportant may be usefully eliminated. I propose, therefore (subject, perhaps, to a slight digression, where necessary), to confine my observations to the principal points in a letter from Mr. Edgar to myself, which contains certain proposals as regards railway matters.

The Provincial Government did not at the time understand that these proposals were officially made. They were subsequently withdrawn by the Dominion Government, and only at the moment of such withdrawal declared by them to have been made with their authority and on their behalf. The above letter, which thus became invested, though but for a brief time, with an authoritative character, is valuable as the only official intimation to the Provincial Government of the policy of the present Dominion Government on the subject of the Pacific Railway. In addition to certain proposals or offers to British Columbia, the letter contains important statements, and some specific admissions which favour the Provincial case.

I shall discuss these offers *seriatim*, and endeavour to ascertain their value taken in connection with the conditions attached to them, which conditions, as I shall afterwards show, virtually amount to a surrender by British Columbia of her existing railway agreement. I shall then offer some comments upon the above statements and admissions, using generally, as far as may be, the language in which they are expressed in the letter, in order to lessen the danger on my part of any inadvertent misconstruction of their meaning.

The offers made are as follows:—

No. 1. The Dominion will “commence construction from Esquimalt to Nanaimo immediately, and push that portion of railway on to completion within the shortest practicable time.”

The offer to commence work immediately at Esquimalt (which, as already stated, was selected as the western terminus of the main line by an Order of the Privy Council of Canada as far back as June 1873) is simply an offer to do what the Dominion was bound to have done in July 1873, and what they might have done at any time since, and which they admit in this letter was quite practicable in May last. The offer, your Lordship will notice, is a very limited one. No definite provision is made for the extension of the main line beyond Nanaimo (about 60 miles from Esquimalt); nor, indeed, is any definite period fixed for the completion of even this short portion of the railway, which would take neither much time nor money to construct. The promise to complete it “in the shortest practicable time,”—a promise in effect attached to all the offers in the letter,—is one which, slightly qualified, is implied in the present and in every other agreement of a similar character, in which no stipulation is inserted for the performance of work within a given time. The phrase is much too elastic in its meaning to admit of any definite interpretation. It may, for the present, therefore, be fairly omitted from special consideration, except as some evidence of a general intention on the part of the Dominion Government. I must assume, what the language conveys, that the words “that portion of railway,” means the Esquimalt and Nanaimo portion or part of the main railway, which is the only railway referred to in the letter. This would tend to show that the position of the terminus is not questioned. No other allusion to the terminus is made in the letter.

No. 2. The Dominion will prosecute and complete the surveys, and then determine “the location of the line upon the mainland.”

This promise is reasonable on the face of it, but it is very vague. In May last the Government of the Dominion informed the Provincial Government that “there was no reason to believe that it would be possible to complete the surveys before the close of the year” 1874. The reasonable inference deducible from this statement is, obviously, that the surveys would be finished at the end of 1874. If a longer period had been deemed necessary for the purpose, the fact would have been stated. Considering the intimation thus given, and looking to the long interval of time that has elapsed without any decision as to the route having been arrived at, it might have been expected that the letter would have positively guaranteed the completion, in 1874, of these and all other indispensable surveys within the Province

at least, and have further placed beyond conjecture the commencement of construction works early in 1875. I have been informed by a railway engineer here that, as a matter of practice, the exploratory surveys settle the general bearing or course of a line of railway, and that the subsequent location surveys may be proceeded with at several points along such line simultaneously, and the work of construction be commenced at those points without waiting for the actual location of the whole line. Such being the case, there is no valid reason, in view of all the facts above stated, why this practice should not be followed with respect to the Pacific Railway. The general course of the railway, within the Province at least, should be determined this year, and location surveys, immediately followed by actual construction, should be commenced early in 1875 at various points on the mainland and on the island. This is what British Columbia, above all things, desires, and any definite arrangement which will secure her wants in this respect will give the Province much satisfaction.

No. 3. The Dominion will "open up a road and build a telegraph line along the whole length of the railway in the Province, and carry the telegraph wire across the Continent."

The performance of this offer, both as to the road and the telegraph line, would depend, in point of time, upon the performance of the preceding offer (No. 2), as the above works would, according to the letter, only be commenced after the completion of the surveys and the location (within the Province) of the whole line along which they are proposed to be constructed. The fact is known to your Lordship, that the road here meant is a waggon road intended, for a time, at least, to supply the place of the railway. A personal knowledge of the country justifies me in stating that a very large portion of the 50,000*l.* or 60,000*l.* required for its construction would be money simply thrown away. I can also unhesitatingly state that the road would, even as a temporary substitute for the railway, be wholly unacceptable to the Province at large, including the farmers and producers of the "interior," in whose interests, and for whose benefit, it is alleged that the offer is especially made. For the transport of supplies, and to meet engineering necessities along the line, as railway works progress, a merely passable road is necessary, and must be constructed; this, in fact, is all that is required. The telegraph line (when finished) would, doubtless, be useful, but its construction is a question which should be treated independently of the Railway Agreement. The railway is what is required, and the people of the Province would prefer seeing the time and money, which are proposed to be expended on the above works, appropriated to the larger and infinitely more beneficial enterprise.

No. 4. When "the surveys and road on the mainland can be completed, there shall be in each and every year . . . during the construction of the railway, a minimum expenditure upon the works of construction within the Province of at least 1,500,000 dollars;" and the Dominion "will proceed from the very first with all the works of construction," on the mainland, "that their engineers could sanction."

The expenditure above proposed may be considered, first, in relation to its amount; and next, with reference to the date of its commencement. The amount falls far short of what British Columbia has been led to expect. The cost of the line in British Columbia has been roughly estimated at 35,000,000 dollars (7,000,000*l.*). Assuming this estimate to be correct, and that ten years would see the completion of the railway, the Province, in accepting the Terms of Union, had a fair expectation of an average yearly expenditure within her limits of, say, 3,500,000 dollars (700,000*l.*). After a delay of over three years with its consequent loss to the Province, it is now proposed by the letter that this amount shall be reduced to the sum of 1,500,000 dollars (300,000*l.*). Again, dividing the whole cost 35,000,000 dollars (7,000,000*l.*) by this sum, a period of twenty-three and a-half years would be obtained as the time required for the completion of the Provincial section of the line alone, and this period would be only computed from the date when expenditure would be commenced, and not from the date of the letter. It is true that the expenditure proposed is to represent a minimum outlay, which, after several years, might for obvious reasons increase with the progress of the work, but I submit that, in estimating the value of this, or of any similar proposal, the

actual figures given—and not contingent amounts which might never be spent—must be the bases of calculation.]

Moreover, not only is the proposed expenditure inadequate, but the period when it is to be begin is left largely open to doubt. The letter states that the expenditure will follow the completion, “along the whole length of the railway in the Province,” of the waggon road mentioned in offer No. 3. The completion of this road, in turn, has to depend upon the completion of all the surveys, and upon the location of the whole line on the mainland (see offer No. 2); and the completion of these surveys and the location of this line are, in point of time, wholly left open to uncertainty. It is stated, that from the “very first” construction work on the mainland will be done at such places as the sanction of the Engineers will warrant; but this sanction will naturally be deferred until the expenditure which has been proposed to cover construction work generally should be commenced. Taken throughout, no offer could well be more indefinite than the above.

Adding all the uncertainties mentioned to the fixed period of $23\frac{1}{2}$ years (or even to a reduced period), it would appear that the above offer may be described as one for the postponement of the completion of the line within the Province for a lengthened period, possibly until some time in the next century.

Your Lordship will observe—what I must consider an important matter—that all the preceding offers refer and are strictly confined to the British Columbian portion of the railway. The letter is wholly silent as to the extension of the line beyond the eastern frontier of the Province. British Columbia is thus by implication virtually requested to surrender one of the elements most important to her in the contract, namely, the right to insist upon all rail communication with the Eastern Provinces.

I shall now, as proposed, make a few comments upon certain statements and admissions contained in the letter. Probably the most important of the former is the statement, that the Dominion Government “are advised by their engineers that the physical difficulties are so much grater than was expected, that it is an impossibility to construct a railway within the time limited by the Terms of Union, and that any attempt to do so can only result in wasteful expenditure and financial embarrassment.” Upon this point the Provincial Government are without any information save what is afforded by the last Report, as published, of the Chief Engineer of the Dominion Government. A reference to this Report would lead the reader to a rather contrary conclusion to that above expressed. On page 34, section 5, the Chief Engineer makes the following statement:—“It may indeed be now accepted as a certainty that a route has been found generally possessing favourable engineering features, with the exception of a short section approaching the Pacific Coast; which route, taking its entire length, including the exceptional section alluded to, will on the average show lighter work, and will require less costly structures than have been necessary on many of the railways now in operation in the Dominion.” It is worthy of notice that this Report, so favourable to the enterprise, is dated only some four months prior to the date of the letter now under discussion. During the interval between these dates, all surveys in the Province had been suspended.

I may further remind your Lordship that the Charter for the construction and completion of the railway in ten years from 1871, according to the Terms of Union, was keenly competed for by two separate combinations, including men of great railway experience, large capital, and high position in the Dominion. These Companies, apparently, did not consider the undertaking to make the railway within the stipulated time impracticable. On the contrary, up to February 1873, so eager was the competition, and so powerful were the organizations in point of wealth, influence, and ability, that the Dominion Government decided to give the charter to neither; and, upon the two Companies failing to amalgamate, as suggested by the Government, the Government, under certain powers conferred by Parliament, formed a new Company, based upon the principle that each province should be represented in the undertaking. To this new Company a charter was granted on the 5th of February, 1873. With the political or other causes which subsequently led to the surrender of this charter it is not my duty to deal. The strong fact remains that two responsible and rival Companies were willing, and a third undertook, to construct a through-line of railway to connect the east and west of the Dominion in eight years from February 1873. Neither in the Prospectus of the successful Company nor in the voluminous correspondence which took place previously between the two unsuccessful Companies on the subject of their respective claims to the charter, and of their

proposed amalgamation, was any doubt expressed as to the possibility of fulfilling this time obligation. Had such a doubt existed, it is fair to infer that the Dominion Government would have requested the assistance of the Province to remove it. No such request was, however, made.

With respect to the statement before your Lordship that the chartered Company considered an extension of four years necessary to place the financial success of the enterprise beyond doubt, the Provincial Government are without any information save what is contained in, or may be inferred from, the last paragraph of section 8 of the Charter granted to the Company, which reads as follows:—The Company “shall complete the whole railway within ten years from the said 20th of July, 1871, unless the last-mentioned period shall be enlarged by Act of Parliament, in which case the Company shall complete the whole railway within such extended period.” Admitting, for the sake of argument, however, that such extension of four years was deemed necessary, the completion of the line would not have been deferred beyond 1885. The extract already quoted from the Engineer’s Report, dated, as it is, about twelve months after the date of the Charter, and made after a further knowledge of the country had been acquired, tends strongly to confirm the views of the respective Companies that the completion of the railway was practicable 1881 or at the furthest in 1885.

The value of the above facts and correspondence is material as showing, in the first place, that it was considered all important that a definite period should be assigned for the execution of a work upon which Confederation hinges; and, in the next place, that 1881, or at most 1885, was a reasonable definition of that period.

The Province, after all her disappointments, above all things desires that the “prompt commencement, continuous prosecution,” and early completion of the railway shall be definitely assured or, in the language of the letter, “be guaranteed.” The Provincial Government, therefore, strongly, but respectfully, resist the contention of the Dominion Government that the commencement, prosecution, and completion of the line shall be left open to a doubtful and indefinite period.

The further opening statement in the letter that the Dominion Government are willing “to enter into additional obligations of a definite character for the benefit of the Province” may be said to have been disposed of, as the nature and character of these “obligations” have, in the analysis made of the offers, been already examined. I shall, therefore, pass on to what I have termed the admissions in the letter. The most important of these is an admission which may be inferred from the offer made by the Dominion Government to “commence railway construction immediately from Esquimalt to Nanaimo.” Here it is admitted that the Dominion Government were in a position, at least in May last (the date of the letter), if not before, to have begun the railway in the Province. There is, and has been, therefore, no excuse for delay in pushing forward the work.

Of scarcely less importance is a second admission, which reads as follows: “to a country like British Columbia it is conceded, however, to be an important point that not only the prompt and vigorous commencement, but also the continuous prosecution of the work of construction within the limits of the Province should be guaranteed.”

To these two admissions may be added a third and last: the Dominion Government, while conceding that railway construction should be commenced at the seaboard of the Province, consider it most important that every effort should be made by them to push forward the construction of the railway on the mainland, in order that the legitimate advantages of expenditure should as far as possible fall into the hands of the farmers and producers of the interior.

This is an object which the Provincial Government have much at heart, and strongly desire to see realized.

With the clear and just sense which the Dominion Government thus appear to have of what is due to the Province; with their full appreciation, on the one hand, of the wants of the interior, and, on the other, of the requirements of the Island, it might have been expected that they would, as “a Government responsible for the progress of both shores of the Continent,” at least have given some more definite as well as some practical meaning to their expressions of solicitude for the welfare of the people of the Province.

I have thus dwelt upon the letter at considerable length, as your Lordship’s attention has been specially directed to it in connection with the present case. I

conceive the following to be a synopsis of its offers and conditions: Canada will commence, on the Island, immediate construction of the Railway at Esquimalt, and finish about 60 miles of it (time of completion indefinite). On the mainland, she will prosecute the surveys for the remainder of the line, and finish these surveys (time also indefinite). She will thereafter "locate" the line falling within the Province (time also indefinite). When this can be achieved, she will make, along this "located" line, a waggon road (which the Province does not want), and a telegraph line (which the Province has not asked for), and will carry the latter across the Continent (time of completion of both road and telegraph line indefinite). Ultimately, after the completion of the surveys and of the road, but not before, Canada will begin, and will continue railway work in the Province, and spend thereon, year by year, not less than 300,000*l*. (Whether this sum will include the Esquimalt line or not is doubtful. It is the only expenditure offered. As I have shown your Lordship, Canada thus proposes to ensure to the Province the completion of the line within her limits in twenty-three and a-half years, or less, dating from the unknown period at which the offered expenditure can be commenced.) Canada will do all this work "in the shortest time practicable," a phrase a shade stronger than the words "with due diligence," three words, the construction of which has given rise to much doubt, and to much painful litigation. In consideration of these offers (if accepted), British Columbia shall—1st, abandon all claim to the completion of the Canadian Pacific Railway within a definite time; and, 2ndly, shall (virtually, though not quite so expressed) surrender her right to, and interest in, the completion of about 2,000 miles of the line necessary to connect the eastern frontier with eastern Canada. Apart from the very objectionable features of the last two conditions, the indefinite character of the above proposals made to the Province is in marked contrast to the statement of the Dominion Government that, "to a country like British Columbia," it is important that the early completion of the railway within her limits should be ensured; and, therefore, that a guarantee should be given by the Dominion Government for "its prompt commencement" (which depends on the prompt completion of the surveys), and also for "its continuous construction" (which depends on yearly specific expenditure). This concludes my remarks upon the letter.

I have endeavoured to place before your Lordship a full history of the position of British Columbia with respect to Confederation. A very unsatisfactory state of affairs has been disclosed, if the question be regarded simply as a question between the Dominion and one of her Provinces. On the part of the Dominion there have been delays, default, and avowal of default, followed by offers and conditions such as I have described.

The peculiar situation of British Columbia—her remoteness—her weak political position—her dependence on the good faith of the Dominion—the hopes that have been held out and deferred—the grievous loss that has ensued—the consequent utter prostration of her interests, all these give her claims upon Canada, which the present Dominion Government have, as already shown, to a certain extent acknowledged, in words. These claims, the Provincial Government hope, will not be overlooked by your Lordship in considering the reasonable measure of justice to which the Province is entitled under the Terms of Union. The Province has not expected anything that is unreasonable, and does not do so now. It is her urgent desire that matters should be forthwith placed on a fair business-like footing, and above all, on a footing of certainty, with proper safeguards to ensure that certainty, so that a good and cordial understanding may be restored and not again be disturbed.

I have, &c.
(Signed) GEO. A. WALKEM,
President of the Executive Council of British Columbia.

No. 28.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, November 17, 1874.

I DULY received your despatch of the 18th September,* inclosing an Order in Council setting forth the views of your Ministers as to the proposals contained in

* No. 26.

my despatch of the 16th August for the settlement of the controversy between Canada and British Columbia respecting the Pacific Railway. I subsequently again saw Mr. Walkem, and at his request I have delayed the announcement of the terms which, in my opinion, may properly be laid down as fair and reasonable, until the receipt of a further written communication from him, which has now reached me, and a copy of which I inclose.

The statements thus placed before me are so clear and complete as to assist me materially in appreciating the position in which the question now stands, and in judging without hesitation what modification of the original terms should be adopted. And I would here express my satisfaction at the temperate and forbearing manner in which points involving most important consequences have been argued on both sides, and the pleasure which I feel in being able to think that asperity of feeling or language may have been, in some degree, avoided through the opportunity of submitting the whole case to the independent judgment of one who may at least claim to have the interests of both parties equally at heart.

I explained very fully in my despatch of the 16th August the opinion which I entertained on each of the principal questions at issue, and I need now add but little to the simple statement of my decision. That decision is necessarily, as both parties are aware, in the nature of a compromise, and as such it may perhaps fall short of giving complete satisfaction to either. If, on the one hand, your Ministers, as you inform me, consent with reluctance to the further concessions which at an earlier stage I suggested, they will not, on the other hand, fail to bear in mind that even after those concessions are made British Columbia will receive considerably less than was promised to her as the condition of entering the Dominion. I prefer rather to reflect that under the amended terms now to be established, British Columbia will, after all, receive very great and substantial advantages from its union with Canada, while the Dominion will be relieved of a considerable part of those obligations which were assumed in the first instance without a sufficient knowledge of the local conditions under which so enormous and difficult an undertaking was to be carried into effect, and to fulfil which would seriously embarrass the resources of even so prosperous a country as Canada.

Adhering then to the same order in which, on the 16th August, I stated the principal points on which it appeared to me that a better understanding should be defined, I now proceed to announce the conclusions at which I have arrived. They are:—

1. That the railway from Esquimalt to Nanaimo shall be commenced as soon as possible, and completed with all practicable despatch.

2. That the surveys on the main land shall be pushed on with the utmost vigour. On this point, after considering the representations of your Ministers, I feel that I have no alternative but to rely, as I do most fully and readily, upon their assurances that no legitimate effort or expense will be spared, first to determine the best route for the line, and, secondly, to proceed with the details of the engineering work. It would be distasteful to me, if indeed it were not impossible, to prescribe strictly any minimum of time or expenditure with regard to work of so uncertain a nature; but, happily, it is equally impossible for me to doubt that your Government will loyally do its best in every way to accelerate the completion of a duty left freely to its sense of honour and justice.

3. That the waggon road and telegraph line shall be immediately constructed. There seems here to be some difference of opinion as to the special value to the Province of the undertaking to complete these two works; but after considering what has been said, I am of opinion that they should both be proceeded with at once, as indeed is suggested by your Ministers.

4. That 2,000,000 dollars a-year, and not 1,500,000 dollars, shall be the minimum expenditure on railway works within the Province from the date at which the surveys are sufficiently completed to enable that amount to be expended on construction. In naming this amount I understand that, it being alike the interest and the wish of the Dominion Government to urge on with all speed the completion of the works now to be undertaken, the annual expenditure will be as much in excess of the minimum of 2,000,000 dollars as in any year may be found practicable.

5. Lastly, that on or before the 31st December, 1890, the railway shall be completed and open for traffic from the Pacific seaboard to a point at the western end of Lake Superior, at which it will fall into connection with existing lines of railway through a portion of the United States, and also with the navigation on Canadian waters. To proceed at present with the remainder of the railway

extending, by the country northward of Lake Superior, to the existing Canadian lines, ought not, in my opinion, to be required, and the time for undertaking that work must be determined by the development of settlement and the changing circumstances of the country. The day is, however, I hope, not very distant when a continuous line of railway through Canadian territory will be practicable, and I therefore look upon this portion of the scheme as postponed rather than abandoned.

In order to inform Mr. Walkem of the conclusions at which I have arrived, I have thought it convenient to give him a copy of this despatch, although I have not communicated to him any other part of the correspondence which has passed between your Lordship and me.

It will, of course, be obvious that the conclusion which I have now conveyed to you upholds, in the main, and subject only to some modifications of detail, the policy adopted by your Government with respect to this most embarrassing question. On acceding to office your Ministers found it in a condition which precluded a compliance with the stipulations of Union. It became, therefore, their duty to consider what other arrangements might equitably and in the interests of all concerned be substituted for those which had failed. And in determining to supplement the construction of some part of the new railway by that vast chain of water communications which Nature might seem to have designed for the traffic of a great country, I cannot say that they acted otherwise than wisely. I sincerely trust that the more detailed terms which I have now laid down as those on which this policy should be carried out will be found substantially in accordance with the reasonable requirements of the Province, and with that spirit of generous and honourable adherence to past engagements which ought in an especial degree to govern the dealings of a strong and populous community with a feebler neighbour, and which I well know to be the characteristic of all parties and statesmen alike within the Dominion of Canada.

I have, &c.
(Signed) CARNARVON.

No. 29.

Colonial Office to Mr. Walkem.

Sir,

Downing Street, November 17, 1874.

I AM directed by the Earl of Carnarvon to transmit to you a copy of a despatch which, after fully considering the representations made to him on the part of the Dominion Government and by yourself, his Lordship has addressed to the Earl of Dufferin on the subject of the Canadian Pacific Railway.* As this despatch contains a full explanation of the conclusions at which Lord Carnarvon has arrived, his Lordship does not feel it necessary to enter, on the present occasion, into any lengthened examination of the various points which you have pressed upon his notice from time to time.

It will be a source of deep satisfaction to Lord Carnarvon if the good feeling between Canada and British Columbia, to the maintenance of which you have contributed by the temperate and reasonable manner in which you have urged the claims of your Province, is permanently confirmed by the aid of his intervention.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 30.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, January 1, 1875.

I HAVE the honour to inform you that Her Majesty will not be advised to exercise her power of disallowance with respect to the following Acts of the Legislature of the Dominion of Canada, transcripts of which accompanied your despatch of the 23rd of September last:—

* No. 28.

No. 2, "An Act to authorize the raising of a loan for the construction of certain public works with the benefit of the Imperial Guarantee for a portion thereof."

No. 14, "An Act to provide for the construction of the Canadian Pacific Railway."

I have, &c.
(Signed) CARNARVON.

No. 31.

The Earl of Dufferin to the Earl of Carnarvon.—(Received December 30, 1874.)

My Lord,

Government House, Ottawa, December 18, 1874.

I HAVE the honour to transmit to your Lordship a copy of an Order of the Privy Council, in which my Ministers convey to your Lordship their best acknowledgments for the pains and trouble you have been good enough to take in promoting the settlement of the differences which have arisen between British Columbia and the Government of the Dominion.

I have, &c.
(Signed) DUFFERIN.

Inclosure in No. 31.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General on the 18th December, 1874.

THE Committee of Council have had under consideration the despatch of the Right Honourable Lord Carnarvon, Secretary of State for the Colonies, of November 17, conveying a statement of the new terms with British Columbia which, in his Lordship's opinion, may properly be laid down as fair and reasonable, concerning the construction of the Pacific Railway.

In the Minute of July 23 the Government of the Dominion advised that his Lordship should be informed of their willingness to leave it to him to say whether the exertions of the Government, the diligence shown, and the offers made, were or were not fair and just, and in accordance with the spirit of the original agreement, seeing it was impossible to comply with the letter of the terms of union in this particular.

The conclusion at which his Lordship has arrived "upholds," as he remarks, in the main, and subject only to some modifications of detail, the policy adopted by this Government on this most embarrassing question.

The Minute of Council of September 17 contained a statement of reasons showing why some of these modifications should not be pressed, but the Government, actuated by an anxious desire to remove all difficulties, expressed a willingness to make these further concessions rather than forego an immediate settlement of so irritating a question, as the concessions suggested might be made without involving a violation of the spirit of any Parliamentary resolution or the letter of any enactment.

The Committee of Council respectfully request that your Excellency will be pleased to convey to Lord Carnarvon their warm appreciation of the kindness which led his Lordship to tender his good offices to effect a settlement of the matter in dispute, and also to assure his Lordship that every effort will be made to secure the realization of what is expected.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk, Privy Council.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, January 4, 1875.

I HAVE the honour to acknowledge the receipt of your despatch of the 18th of December,* forwarding to me a copy of an Order of the Dominion Privy Council, expressing the acknowledgments of the Government of Canada for the services which I have been fortunate enough to render in promoting the settlement of the differences which had arisen between British Columbia and the Government of the Dominion with respect to the construction of the Pacific Railway.

It has been with great pleasure that I have received this expression of their opinion, and I sincerely rejoice to have been the means of bringing to a satisfactory conclusion a question of so much difficulty, of removing, as I trust, all ground of future misunderstanding between the Province of British Columbia and the Dominion, and of thus contributing towards the ultimate completion of a public work in which they, and indeed the whole Empire, are interested.

I have, &c.
(Signed) CARNARVON.

* No. 31.

APPENDIX.

No. 1.

Terms of Union between Canada and British Columbia.

CANADA shall be liable for the debts and liabilities of British Columbia existing at the time of the Union.

2. British Columbia not having incurred debts equal to those of the other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments, in advance from the General Government, interest at the rate of 5 per cent. per annum on the difference between the actual amount of its indebtedness at the date of the Union, and the indebtedness per head of the population of Nova Scotia and New Brunswick (27 dol. 77 c.), the population of British Columbia being taken at 60,000.

3. The following sums shall be paid by Canada to British Columbia for the support of its Government and Legislature, to wit, an annual subsidy of 35,000 dollars, and an annual grant equal to 80 c. per head of the said population of 60,000, both half-yearly in advance, such grant of 80 c. per head to be augmented in proportion to the increase of population, as may be shown by each subsequent decennial census, until the population amounts to 400,000, at which rate such grant shall thereafter remain, it being understood that the first census be taken in the year 1881.

4. The Dominion will provide an efficient mail service, fortnightly, by steam communication, between Victoria and San Francisco, and twice a week between Victoria and Olympia; the vessels to be adapted for the conveyance of freight and passengers.

5. Canada will assume and defray the charges for the following services:—

- A. Salary of the Lieutenant-Governor;
- B. Salaries and allowances of the Judges of the Superior Courts and the County or District Courts;
- C. The charges in respect to the Department of Customs;
- D. The postal and telegraphic services;
- E. Protection and encouragement of fisheries;
- F. Provisions for the militia;
- G. Lighthouses, buoys, and beacons, shipwrecked crews, quarantine and marine hospitals, including a marine hospital at Victoria;
- H. The geological survey;
- I. The Penitentiary;

And such further charges as may be incident to and connected with the services which, by the "British North America Act of 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's servants in the Colony whose position and emoluments derived therefrom would be affected by political changes on the admission of British Columbia into the Dominion of Canada.

7. It is agreed that the existing Customs tariff and excise duties shall continue in force in British Columbia until the railway from the Pacific Coast and the system of railways in Canada are connected, unless the Legislature of British Columbia should sooner decide to accept the Tariff and Excise Laws of Canada. When Customs and Excise duties are, at the time of the union of British Columbia with Canada, leviable on any goods, wares, or merchandizes in British Columbia, or in the other Provinces of the Dominion, those goods, wares, and merchandizes may, from and after the Union, be imported into British Columbia from the Provinces now composing the Dominion, or from either of those Provinces into British Columbia, on proof of payment of the Customs or Excise duties leviable thereon in the Province of exportation, and on payment of such further amount (if any) of Customs or Excise duties as are leviable thereon in the Province of importation. This arrangement to have no force or effect after the assimilation of the Tariff and Excise duties of British Columbia with those of the Dominion.

8. British Columbia shall be entitled to be represented in the Senate by three members, and by six members in the House of Commons. The representation to be increased under the provisions of the "British North America Act, 1867."

9. The influence of the Dominion Government will be used to secure the continued maintenance of the naval station at Esquimalt.

10. The provisions of the "British North America Act, 1867," shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to, and

only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this Minute) be applicable to British Columbia in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, east of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada; and further, to secure the completion of such railway within ten years from the date of the Union.

And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway throughout its entire length in British Columbia, not to exceed, however, twenty miles on each side of said line, as may be appropriated for the same purpose by the Dominion Government from the public lands in the north-west territories and the Province of Manitoba. Provided that the quantity of land which may be held under pre-emption right, or by Crown right within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government, shall be made good to the Dominion from contiguous public lands; and provided further, that until the commencement, within two years, as aforesaid, from the date of the Union, of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portions of the public lands of British Columbia in any other way than under right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway, the Dominion Government agree to pay to British Columbia, from the date of the Union, the sum of 100,000 dollars per annum, in half-yearly payments in advance.

12. The Dominion Government shall guarantee the interest for ten years from the date of the completion of the works, at the rate of 5 per cent. per annum, on such sum, not exceeding 100,000*l.* sterling, as may be required for the construction of a first-class graving dock at Esquimalt.

13. The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of the Indians on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies.

14. The Constitution of the Executive Authority and of the Legislature of British Columbia shall, subject to the provisions of "The British North America Act, 1867," continue as existing at the time of the Union until altered under the authority of the said Act, it being at the same time understood that the Government of the Dominion will readily consent to the introduction of responsible Government when desired by the inhabitants of British Columbia, and it being likewise understood that it is the intention of the Governor of British Columbia, under the authority of the Secretary of State for the Colonies, to amend the existing Constitution of the Legislature by providing that a majority of its members shall be elective.

The Union shall take effect according to the foregoing terms and conditions on such day as Her Majesty, by and with the advice of Her Most Honourable Privy Council may appoint (on addresses from the Legislature of the Colony of British Columbia, and of the Houses of Parliament of Canada, in the terms of the 146th section of "The British North America Act, 1867"), and British Columbia may in its address specify the electoral districts for which the first election of members to serve in the House of Commons shall take place.

No. 2.

[36 and 37 Vict., cap. 45.]

An Act to authorize the Commissioners of Her Majesty's Treasury to guarantee the Payment of a Loan to be raised by the Government of Canada for the Construction of Public Works in that Country, and to Repeal the Canada Defences Loan Act, 1870.

[21st July, 1873.]

WHEREAS one of the terms and conditions on which the Colony of British Columbia was admitted into union with the Dominion of Canada, by an Order in Council of the 16th day of May, one thousand eight hundred and seventy-one, was that the Government of the Dominion should secure the construction of a railway (in this Act referred to as the Pacific Railway) to connect the seaboard of British Columbia with the railway system of Canada, in manner more particularly mentioned in the Schedules to such Order:

And whereas the Government of the Dominion of Canada propose to raise by way of loan for the purpose of the construction of the Pacific Railway, and also for the improvement and enlargement of the Canadian canals, a sum of money not exceeding eight million pounds:

And whereas by an Act of the Parliament of Canada of the year 1868, chapter forty-one, the Governor in Council was authorized to raise by way of loan upon the guarantee of the Commissioners of Her Majesty's Treasury (in this Act referred to as "the Treasury"), for the purpose of the construc-

tion of the fortifications therein mentioned, sums not exceeding one million one hundred thousand pounds:

And whereas by the Canada Defences Loan Act, 1870, the Treasury were authorized to guarantee the payment of the principal of such loan and of interest thereon at a rate not exceeding four per cent. 33 & 34 Vict.,
c. 82.

And whereas no portion of the last-mentioned loan has been raised, and no such guarantee has been given:

And whereas it is expedient to authorize the Treasury to guarantee a portion, not exceeding two millions five hundred thousand pounds, of such loan of eight million pounds for the above-mentioned purposes, and to guarantee a further portion of the said loan not exceeding one million one hundred thousand pounds in substitution for a guarantee of a loan under the Canada Defences Loan Act, 1870:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "The Canada (Public Works) Loan Act, 1873."
2. The Treasury may guarantee in such manner and form, and on such conditions as they think fit, the payment of the principal and interest (at a rate not exceeding four per cent. per annum) on all or any part of any loan raised, by the Government of Canada for the purpose of the construction of the Pacific Railway, and the improvement and enlargement of the Canadian canals, so that the total amount so guaranteed from time to time do not exceed three million six hundred thousand pounds.

3. The Treasury shall not give any guarantee under this Act unless and until provision is made by an Act of the Parliament of Canada, or otherwise, to the satisfaction of the Treasury— Short title.
Power to Treasury
to guarantee loan.

Conditions of
guarantee.

- (1.) For raising and appropriating the said proposed loan of eight million pounds:
- (2.) For charging the consolidated revenue fund of Canada with the payment of the principal and interest of any loan guaranteed by the Treasury under this Act, immediately after the charge of the loan for fortifications created by the said Act of the Parliament of Canada of the year one thousand eight hundred and sixty-eight, chapter forty-one:
- (3.) For payment by the Government of Canada of a sinking fund at the rate of one per cent. per annum on the entire amount of the loan guaranteed by the Treasury under this Act, and for charging the consolidated revenue fund of Canada with the payment of such sinking fund immediately after the principal and interest of the last-mentioned loan:
- (4.) For charging the consolidated revenue fund of Canada with any sum issued out of the Consolidated Fund of the United Kingdom under this Act with interest thereon at the rate of five per cent. per annum, immediately after the said sinking fund:
- (5.) For the due payment and application of the money raised by any loan guaranteed by the Treasury under this Act, in such manner as the Treasury from time to time direct:
- (6.) For remitting to the Treasury the annual sums for the sinking fund by equal half-yearly payments, in such manner as they from time to time direct, and for the investment and accumulation thereof, under their direction, in the names of four trustees, nominated from time to time, two by the Treasury and two by the Government of Canada.

The Treasury may guarantee the loan in such portions as they think fit, and before guaranteeing any portion of the loan after the first, shall satisfy themselves that the portion of the loan previously guaranteed (or an equal amount of any other loan of the Government of Canada), together with an equal amount of that portion of the said loan of eight million pounds which is not guaranteed by the Treasury, has been or is in the course of being spent for the purposes mentioned in this Act.

4. The said sinking fund may be invested only in such securities as the Government of Canada and the Treasury from time to time agree upon, and shall, whether invested or not be applied from time to time, under the direction of the Treasury, in discharging the principal of the loan guaranteed by the Treasury under this Act, and the interest arising from such securities (including the interest accruing in respect of any part of any loan discharged by means of the sinking fund), and the resulting income thereof shall be invested and applied as part of such sinking fund. Application of
sinking fund.

5. Every Act passed by the Parliament of Canada which in any way impairs the priority of the charge upon the consolidated revenue fund of Canada created by that Parliament of the loan guaranteed under this Act, and the interest and sinking fund thereof, and the sums paid out of the Consolidated Fund of the United Kingdom and the interest thereon, shall, so far only as it impairs such priority, be void, unless such Act has been reserved for the signification of Her Majesty's pleasure. Alteration of Act
relating to
guaranteed loan.

6. The Treasury are hereby authorized to cause to be issued from time to time, out of the growing produce of the Consolidated Fund of the United Kingdom, such sums of money as may at any time be required to be paid to fulfil the guarantee under this Act in respect either of principal or interest. Issue out of
Consolidated Fund.

7. The Treasury may from time to time certify to one of Her Majesty's Principal Secretaries of State the amount which has been paid out of the Consolidated Fund of the United Kingdom to fulfil the guarantee under this Act, and the date of such payment; such certificate shall be communicated to the Governor of Canada, and shall be conclusive evidence of the amount having been so paid and of the time when the same was so paid. Certificate of
amount paid out of
Consolidated Fund.

8. The Treasury shall cause to be prepared and laid before both Houses of Parliament a statement of any guarantee given under this Act, and an account of all sums issued out of the Consolidated Fund of the United Kingdom for the purposes of this Act, within one month after the same are so given or issued, if Parliament be then sitting, or if Parliament be not sitting, then within fourteen days after the then next meeting of Parliament. Accounts to be laid
before Parliament.

9. The Canada Defences Loan Act, 1870, is hereby repealed.

Repeal of
33 & 34 Vict.,
c. 82.

IMMIGRATION AND COLONISATION.

FIRST REPORT

OF THE

SELECT COMMITTEE OF THE PARLIAMENT OF CANADA

ON

IMMIGRATION AND COLONISATION.

Colonial Office, }
June, 1875. }

JAMES LOWTHER.

(PRESENTED BY HER MAJESTY'S COMMAND.)

Ordered, by The House of Commons, to be Printed,
23 June 1875.

CANADA.

FIRST REPORT

OF THE

SELECT COMMITTEE OF THE PARLIAMENT OF THE DOMINION OF CANADA

ON

IMMIGRATION AND COLONIZATION.

The Committee respectfully submit the evidence they have obtained from various sources on the subject of Immigration and Colonization.

They learn with satisfaction from the information obtained from the evidence of Mr. Lowe, the Secretary of the Department of Agriculture, of the arrangement entered into between the four Provinces of Ontario, Quebec, New Brunswick, and Nova Scotia, with the Dominion Government, for centralizing in the Minister of Agriculture, the management of the agencies abroad, to promote immigration to Canada. Before this arrangement was agreed upon, the Dominion and Provincial Governments each maintained independent agencies; a system which led, in many cases, to waste of strength and divided counsels.

The duty of the several Provinces would seem naturally and properly to be to make provision for the care of immigrants after their arrival.

The actual immigration to Canada appears to have been less in 1874 than in the previous year, the total number of settlers being, in 1874, 39,373, against 50,050 in 1873, which was a year of exceptionally large immigration. In 1872 the number of settlers was 36,578.

The immigrants from the United Kingdom are stated to be of a class particularly suited to the country; there being a very large number of agricultural labourers, with their families.

It is noticeable that in 1874 there was an unusually large number of immigrants from the United States, as ascertained from entries of settlers' goods at Custom Houses along the frontier. The number was 14,110; a considerable proportion of these was understood to be repatriated French Canadians. This is a gratifying feature of the immigration of the year.

The Committee have learned, with satisfaction, that the Dominion Government have set aside four townships in the North-West to be appropriated in free grants to repatriated Canadians, and that exertions are being made to induce their return, as a specially valuable class of immigrants.

The Committee also learn, with satisfaction, of the successful settlement of a Mennonite colony in Manitoba, numbering 1,349 souls. It is expected that this number will be very much augmented during the coming season, Parliament having sanctioned a loan of \$100,000 to assist in this immigration.

The Mennonites who settled in Manitoba last year arrived somewhat late in the fall, but they had considerable capital, and were enabled to make good preparations for the winter before it set in. It appears from letters received from them as late as the middle of February last, that they had not found the present unusually severe winter to be more severe than they expected, or more severe than winters which they had experienced in Russia. They were then well satisfied.

There seem to have been conflicting reports as to Mr. Ralston's colony on the Little Saskatchewan. The evidence, as given by the Secretary of the Department of Agriculture, is simply reported by your Committee. Further information appears to be necessary to enable a correct judgment to be formed.

As regards the efforts made by the Department of Agriculture to promote immigration to this country by the aid of the very considerable sums voted by Parliament for this purpose, they appear to have been active and satisfactory.

Publications to the number of 828,500 were distributed principally in the United Kingdom and on the Continent of Europe. Numerous lectures have been given by the agents of the Dominion, who appear to have been actively engaged in promoting emigration to Canada. The class of agricultural labourers and their families were assisted by Dominion passenger warrants, which enabled them to obtain their passages for 2*l.* 5*s.* sterling. In addition to this the Ontario refund bonus was further given in deduction of passage; and the Agricultural Labourers Society, in many cases, supplied the balance. In this way the country obtained a considerable number of immigrants who were without means of their own, but of a class of which it is the most in need.

The per capita cost to the Dominion of immigrants in 1874, was \$7.14, but when to this the expenditure of the several Provinces is added, the total per capita cost was \$13.18. In 1873, the total per capita cost of immigrants, Dominion and Provincial, was \$10.21. This difference in cost per head arose from there being a larger number of immigrants in proportion to expenditure in 1873 than in 1874. In considering the per capita cost of immigrants, it should be borne in mind that it includes the expenses of all the Quarantine establishments, and the permanent immigration establishments both of the Dominion and the Provinces. These expenses form the bulk of the expenditure. They would necessarily have to be incurred if no efforts were made to promote immigration. It therefore follows that the per capita cost of immigrants is lessened or increased in proportion to the success of such efforts.

The total expenditure of the Dominion in 1874, was \$281,413.11, and that of the Provinces \$237,823.63. The total number of settlers, as before stated, was 39,373. In 1873 Dominion expenditure was \$261,515.86, and that of the Provinces \$249,735.82. The total number of settlers 50,050.

The Committee have noticed a statement made by Mr. Lowe, under the authority of the Honourable the Minister of Agriculture, to the effect that there is an intention to replace Mr. Adams, acting as the principal assistant of the Agent-General of Immigration, London, England, "by one of the Canadian agents that the Provinces had in Europe previous to the conference, or by some competent person, having personal knowledge of Canada, from Canada."

As regards the former of these proposals, they are of opinion, that the appointment of one of the Provincial Agents might possibly be a cause of jealousy as between the Provinces, and that it would be decidedly better, if possible, to appoint some person from this country, thoroughly acquainted with the practical working of emigration, and as little as possible identified with the present provincial organizations.

They consider, moreover, that the Chief Clerk or assistant of the Agent-General in England, should be a person having a sound personal knowledge of the Dominion and of its resources.

The Committee have had submitted to them the report of Mr. Andrew Doyle, Local Government Inspector, on the subject of emigration of pauper children to Canada, addressed to the President of the Local Government Board. This report, as appears from evidence submitted to the Committee, was transmitted to His Excellency the Governor General by the Secretary of State for the Colonies, with a request that it should receive the particular attention of the Canadian Government.

Mr. Doyle's report is adverse to the work which has been performed by Miss Macpherson and Miss Rye, in bringing out pauper and other children to settle among the population of Canada.

The Committee have heard the statements of Miss Macpherson and Miss Rye in rebuttal of the allegations of Mr. Doyle, and they append them to this report. The statements made by these ladies are contradictory to those of Mr. Doyle, and explanatory of their work.

The statements and explanations made by these ladies are strongly supported by the testimony of the Honourable Mr. Flint, Senator, the Honourable Mr. Vail, the Honourable Malcolm Cameron, and of Messrs. Gordon, White, Trow, Stephenson, Pettes, Thompson, Young, Norris, Orton, Plumb, and Jones, Members of the House of Commons, resident in the vicinities of the several homes. They testify from their personal knowledge to the correctness of the statements made by these ladies, and to the value of their work.

Honourable Mr. Justice Dunkin, P.C., formerly Minister of Agriculture, appeared before the Committee, and furnished it with a particular statement of the operations

of Miss Macpherson's Home at Knowlton, Quebec, which is under the management of his sister, Miss Barber.

He testified to the good management of the Knowlton Home, and the great care taken of the children.

He rebutted several of the more important statements of Mr. Doyle. The Committee particularly direct attention to his evidence, and to that of the Lord Bishop of Toronto, of Dr. Fuller, Bishop elect of Niagara, and of the Rev. Dr. McMurray, Rector of Niagara.

Mr. Gordon, a Member of the House of Commons, has addressed to the Committee a letter, respecting Miss Macpherson's scheme of immigration, defining propositions which he submits have been satisfactorily established, in rebuttal of the charges and allegations contained in the report of Mr. Doyle; and recommending that Parliament should aid, by pecuniary assistance, the work of this lady.

The Committee append the letter of Mr. Gordon as part of the evidence submitted.

They are of opinion, that, in as far as the public of Canada are concerned, the information which has been gathered by the Committee would be sufficient to establish that the work which has been done by Miss Macpherson and Miss Rye is, on the whole, of a satisfactory character; and that it results, with very little exception, in permanent advantage to the children who are brought out, and to the country which receives them.

The Committee would, however, recommend to the consideration of the Government, in view of the fact that the report of Mr. Doyle is based upon an inspection, although it would seem a partial one, whether it would not be better to cause a complete inspection to be made of the children who have been brought out by these ladies, to inquire into the accuracy of Mr. Doyle's report, and to set at rest any doubts; or to endeavour to obtain such inspection by the Local Governments, if it is thought that duty more properly belongs to them.

As regards aid in the form of passenger warrants or bonuses recommended to be given to assist the work of these ladies, the Committee are of opinion that it should be dealt with as favourably as any other Immigration to this country.

All of which is respectfully submitted.

C. H. POZER, Chairman.

Committee Room, House of Commons,
31st March 1875.

REPORT OF THE PROCEEDINGS OF THE COMMITTEE OF THE HOUSE OF COMMONS ON IMMIGRATION AND COLONIZATION.

GENERAL IMMIGRATION TO THE DOMINION.

10th March 1875.

Mr. Lowe, the Secretary of the Department of Agriculture, appeared before the Committee.

Q. Upon what terms will emigrants be taken across the Dawson Route next season, and how many days will probably be occupied in the passage from Thunder Bay to Fort Garry?

A. The Department of Public Works has the charge of the Dawson Route, but as the question has reference to immigration, I have ascertained from that Department that, during the next season, adult emigrants will be carried from Thunder Bay to Fort Garry for \$10 each, with an allowance of 100 lbs. of luggage, without extra charge; children under fourteen years for \$5, with 50 lbs. of luggage, and children under three years free. The time that will be occupied in the journey cannot be stated with certainty, but all possible despatch will be used. The stages will leave Thunder Bay three times per week.

Q. Can you give the Committee any information as to the lands set aside for German Colonists in Manitoba?

A. Two townships were set aside for German Colonization in March 1873, at the request of the German Society in Montreal; but owing to difficulties in bringing out immigrants no settlement has been made, and the lands have reverted to the Government.

Q. Can you give the Committee any information relative to the townships set aside for Col. Shaw's colonies?

A. In November 1872, two townships were set aside for Col. Shaw, for settlement in Manitoba, at the request of the then Minister of Agriculture; but the conditions of settlement were not fulfilled, and the lands ceased to be reserved. I understand, however, he subsequently obtained another Order in Council for a further reservation of townships on the recommendation of the Minister of the Interior; but the Department of Agriculture has no official record respecting this.

Q. Can you give the Committee any information of Col. Shaw's proposed plan of settlement?

A. He proposes by means of a Joint Stock Company to raise money to pay the passages of immigrants, provide them with houses, implements and stock, and to get repayment and also profits by receiving annually a proportion of products raised by the settlers, to an extent agreed.

Q. Can you give the Committee any information respecting Mr. John Ralston's Colony—how many townships were set aside for him, and how much is he to be paid?

A. Four townships have been set aside for Mr. Ralston, not in the Province of Manitoba, but about 150 miles to the west of it, on the Little Saskatchewan. The land to be given to actual settlers who shall fulfil the requirements of the Lands Act, otherwise it will revert to the Government. The late Minister agreed to give Mr. Ralston \$4 per head, to pay him for all charges for settlement in the summer of 1873; and also to allow his emigrants to pass free over the Dawson Route. These emigrants were all to be procured in the United States. He was not to be paid commission upon them until they had been settled one year in the colony. In 1874, Mr. Ralston represented that he could not make the colonization for \$4 per head; and upon a consideration of the statements he made, it was agreed to give him \$5 per head. The other conditions remained the same.

Q. How many emigrants has Mr. Ralston introduced?

A. He reports that he has 123 settlers.

Q. Will he be paid commission on his own statement of the number of his settlers?

A. No; he will only be paid on the certificate of the Government Agent of the number of settlers in the colony after one year's residence.

Q. Are you aware that the greater part of Mr. Ralston's emigrants did not proceed further than Fort Garry, and that he gathered part of them in Ontario?

A. It was reported to the Department that a portion of Mr. Ralston's emigrants were afraid of the grasshoppers and went back; but he denies positively that he took any from Ontario; and in fact he offers to forfeit all his claims if it can be proved that one of his emigrants was taken from the Province of Ontario.

Q. Do you believe that he has more than twenty-five emigrants in his colony?

A. I can only furnish the Committee with Mr. Ralston's statement. I have no reason to believe it or disbelieve it. I have heard some rumours, but I cannot say that they should be set against Mr. Ralston's own allegations. What is certain is, that if these are not correct, they will not benefit him. He will only be paid in the terms of the agreement with him; and that, as I have said, requires the certificate of the Government Agent to establish one year's residence. The place or places whence the emigrants came will also require to be satisfactorily established.

Q. Will not the money be wasted that was spent for conveying Mr. Ralston's immigrants over the Dawson route?

A. Yes; for those who did not stay in the country. But the risk run was not greater than that in the case of other immigrants from abroad at the time the agreement was made with Mr. Ralston. The Government at that time, acting on the recommendation of a former committee on immigration, did offer to allow all immigrants from abroad to pass free over the Dawson route. Very few, however, availed themselves of the privilege; and it has since been withdrawn.

Q. Were they not fed as well as carried free?

A. The agreement was not to feed Mr. Ralston's immigrants. But meals were furnished them on the Dawson route. There was, however, the pressure of necessity. Had meals not been furnished there would probably have been suffering from starvation.

Q. How many Mennonites settled in Manitoba during last season, and what was their character?

A. The number of families who settled during last season was 258, and the number of souls 1,349. They arrived late in the season, but the Government Agent reports they went actively to work and became well prepared for the winter before it set in. They appear, from the reports, to be very industrious settlers, and to have brought considerable capital with them. There is information in the form of letters received from them up to the date of the middle of February last that they had not found the present severe winter to be more severe than they expected; or more severe than they had experienced in Russia. They were then well satisfied. The total number of Mennonites who arrived in the Dominion in 1874, was 1,532. 183 arrived too late to go to Manitoba last fall. They will go next spring. More are expected.

Q. Is it true that the Russian Government are taking steps to prevent the emigration of Mennonites?

A. They are averse to it; and I learn from correspondence with the Mennonites that concessions are made with a view to prevent the emigration, but confidence has been in a great measure destroyed by an ukase promulgated; and the emigration will probably take place. Their brethren in Ontario purpose to assist them by means of a loan which they have negotiated with the Government of \$100,000, and to which Parliament has already given its assent.

Q. Did not those who have already paid back some money advanced?

A. Yes; an amount of \$5,158 was collected for the Department by Mr. J. Y. Shantz. This money was promptly and cheerfully paid, and afforded an evidence of good faith in meeting obligations.

Q. What were the terms on which they were brought out?

A. The terms and conditions were fully stated in the Report of the Department of Agriculture laid before Parliament at its last session, and they have not been departed from.

Q. Did the total immigration of 1874 equal the expectations that were entertained?

A. It exceeded the expectations that were entertained; but the number was not so large as in 1873, which was a year of unusually large immigration. The kind of immigrants who came in 1874 was, moreover, eminently suited to the country. It consisted in large measure of agricultural labourers and families.

Q. Were these immigrants assisted?

A. Yes; the agricultural labourers families received the 2l. 5s. passenger warrants issued by the Government, and the Province of Ontario also rendered a further assistance of 1l. 4s. 8d. The passage was thus reduced to about 1l. per adult, and this balance was generally furnished by the society of Agricultural Labourers.

Q. Was not the price of passage generally less last year than previously?

A. Yes. Owing to the breaking up in May last of what was known as the North Atlantic Steamship Conference; that is, a combination or trades' union of the owners of all the great lines of steamships crossing the Atlantic, to fix uniform rates of freight and passage between ports in Europe and ports in Canada and the Northern United States. The rate of emigrant fares fixed by the combination was 6l. 6s., but it fell to about 3l. in consequence of the rupture.

Q. Is the combination now in existence?

A. It has not yet been reconstructed, but it is expected that it will be, and it is thought the rate of emigrant fare will be 5l. But I cannot announce this.

Q. How many immigrants arrived in Canada in 1874?

A. The total number of arrivals was 80,022, but a large proportion of these were simply passengers through the country. The number of settlers in the country in 1874 was 39,373, against 50,050 in 1873, and 36,578 in 1872. There was a large number of immigrants from the United States in 1874. This, as ascertained by the entries of settlers goods at the Custom Houses along the frontier, was 14,110.

Q. Were these French Canadians returning?

A. A very considerable portion of them were, but I cannot state precisely how many.

Q. What efforts were made to induce French Canadians to return?

A. There was an agent, Mr. Gendreau, sent to the United States in 1873; and again, in 1874, Dr. Whiteford, of Detroit, had a similar mission confided to him. The duty of both these gentlemen was principally to induce the return of French Canadians, but it was not exclusively confined to them.

Q. Has there not been a readjustment made of the arrangements for promoting immigration as between the Dominion and the Provinces?

A. Yes; a conference of representatives of the Governments of the four Provinces of Ontario, Quebec, New Brunswick, and Nova Scotia was held in the Department of Agriculture in November last, the result of which was an agreement to centralize in the Minister of Agriculture the efforts made to promote immigration to Canada from abroad; it being understood that the Provinces would devote particular attention to the care of immigrants after arrival. Before the agreement which was made at the conference, the Dominion and the several Provinces had separate agencies abroad, which were independent of each other, and it was felt that this led to waste of strength, and in many cases to divided counsels. All the agents in the United Kingdom and on the continent will be hereafter under the superintendence of the Agent-General of the Dominion in London acting under instructions from the Department of Agriculture.

Q. Has the Province of Ontario ceased to send agents to Europe?

A. Practically, the effect of the agreement of the four provinces, parties to the Immigration Conference, will be to make the Province withdraw its agents. But as a matter of fact it has still some emigration agents in Europe, the right to send them being reserved by the agreement entered into at the conference. These agents, however, are, by that agreement placed under the direction of the Agent-General, at London.

[By Hon. Mr. Pope:—]

Q. Who pays the salaries of such agents?

A. Ontario pays the salaries of its special agents.

Q. And they act under the instructions of the Agent-General?

A. Yes.

Q. But don't you suppose that they will recognize as their masters those who pay them, and is there not danger of conflict of authority?

A. They will, of course, look to the Ontario Government which employs and pays them, but if that Government places them under the direction of the Dominion authorities, there will be that much centralization.

Q. Did not Mr. Dixon formerly afford assistance to the Provincial Agents?

A. Yes; he afforded them printed and other information and gave them generally all the advantages they could derive from his office; but they were quite independent of his control. It is true, moreover, that Mr. Dixon had considerable direct correspondence with the Provincial Governments on the subject of immigration, and received direct remittances from them to promote it.

Q. You say the Provincial Agents were not under Mr. Dixon's control, but when any of them got into difficulties on the continent who helped them out?

A. On such occasions the correspondence was direct with Mr. Dixon as the Canadian agent. The distinction of agents for the Provinces as separate from the Dominion did not seem to be recognized.

Q. Were not the Provincial Governments always averse to yielding up their privileges on the subject of immigration?

A. Yes; they always showed the greatest reluctance to give up any of the concurrent powers conferred on them by the Act of Confederation; but it was seen during the last year that the employment of Provincial and Dominion agents in the same places, not only led to waste of strength, but in some cases to actual conflict of opinion, which was bewildering to intending immigrants, and therefore injurious. It was the perception of this fact that led to the memorandum of agreement to which I have referred, at the conference in November last.

[By other members of the Committee:—]

Q. What publications were issued by the Department during the last year?

A. I have brought with me a list as requested:—

500,000	Small maps of Canada	-	-	-	English.
70,000	"What Canada Produces"	-	-	-	"
50,000	"Shantz's Journey to Manitoba"	-	-	-	"
20,000	"Spence's pamphlet on Manitoba"	-	-	-	"
40,000	"Canada the place for Emigrants"	-	-	-	"
16,000	"Cull's Beet-root and Beet-root Sugar"	-	-	-	"
5,000	"Year Book, 1874"	-	-	-	"
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700,000					
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10,000	"Spence's Manitoba"	-	-	-	French.
2,000	"Shantz's Journey to Manitoba"	-	-	-	"
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12,000					
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80,000	Prof. Kaderley's Report on Canada (circulated in				
	Germany)	-	-	-	German.
5,500	Mack's "German in Canada"	-	-	-	"
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85,500					
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30,000	"Pamphlet on Canada" (circulated in Norway and				
	Sweden)	-	-	-	Scandinavian.
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30,000					
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828,500	Total Publications.				

Q. What new publications did the Department print?

A. It caused information up to the latest period to be inserted in the pamphlets it issued; and there is a new pamphlet, consisting principally of extracts from speeches of the Governor General in so far as they relate to the institutions and features of the country during his recent tour through Ontario. The remarks of His Excellency had the advantage of being fresh observations, and having the authority of his reputation and position. Very extensive republications from these extracts have been made in Great Britain.

Q. Where were these publications principally circulated?

A. Principally in the United Kingdom and the continent of Europe.

Q. Were any circulated in Canada?

A. Yes; to some extent, especially the pamphlets relating to Manitoba; and also in the United States.

Q. Have the letters written by Mr. Trow, descriptive of his visit to Manitoba, been published in pamphlet form by the Department?

A. No; but they are now before the Department. A complete collection of the letters was only received a few days ago.

[A member suggested that the Committee ought to recommend the publication of this series of letters by the Department, as they contained very valuable observations on the Province of Manitoba.]

Q. Were there any other publications or means taken to furnish information respecting Canada as a field for immigration?

A. Yes; the special agents of the Department were very active in delivering lectures, and generally by other means in aiding to promote immigration. The lectures of the Dominion agents were very

extensively published by the newspapers throughout the United Kingdom ; and I may almost say that acres of these reports have been furnished to the Department. They have been a very valuable means of spreading information concerning Canada. I may remark, also, that the steamship companies and the agents of these companies, especially the Allans, have printed and circulated an immense number of small pamphlets and extracts from pamphlets or letters on slips, together with handbills. I cannot state to the Committee the precise number of all these, but I have reason to believe it is over three millions. The Agent-General has also caused to be published, in sheet form, reports of some of the more important meetings. In France and other parts of the continent of Europe, there has also been an active publication of writings bearing on the subject of emigration to Canada. There is yet much to do to make Canada thoroughly known, and it will probably require a long time to do so.

Q. What is the cost to the country, per head, of the immigrants who have arrived ?

A. The total Dominion expenditure for the service of immigration in 1874, including quarantine, and all the establishments in this country and abroad, was \$281,413.11 ; the total number of immigrants reported by the agents to have settled in the country in that year was 39,373 ; the cost per head was, therefore, \$7.14 to the Dominion. But the expenditure of the Provinces is to be added to get the total *per capita* cost of immigrants. This amounted to \$237,823.63, of which Ontario spent \$108,878.77 ; Quebec, \$48,978 ; New Brunswick, \$71,466.86 ; and Nova Scotia, \$8,500. Adding the Dominion and Provincial expenditure together, the total expenditure was \$519,236.74. The total *per capita* cost of immigrants in 1874 was, therefore, \$13.18. In 1873 the *per capita* cost was \$10.21, the total expenditure for the Dominion and the Provinces being \$511,251.78. The total expenditure in 1873 was very slightly less than that of 1874. But the number of immigrants reported to have settled in Canada was much greater, being 50,050, thus making the *per capita* cost much less. It may be remarked that a very large proportion of the expenditure of both years would have to be made for the permanent establishments, both Dominion and Provincial, whether or not there were any special exertions or costs incurred for promoting immigration to Canada. The figures I have given include all the permanent establishments, both Dominion and Provincial, and also the Quarantine establishments. I may add that in addition to the immigration expenditure by the Department of Agriculture there have been considerable expenses incurred by the Department of Public Works for the erection, extension and maintenance of immigrant buildings.

Q. What are the Agent-General's duties in connection with immigration ?

A. Mr. Jenkins' duties in connection with immigration are, by the terms of an Order in Council, generally to superintend, under directions to him from the Minister of Agriculture, all matters pertaining to that subject. The principal of these are the instructing of agents ; the issue of passenger warrants ; the supervision of all operations connected with the departure of emigrants ; and generally any arrangements by which immigration to Canada may be promoted. The immigration interests and agents of the Provinces, parties to the Immigration Conference of November last, follow precisely the same rule.

Q. Who acts as Deputy in the absence of the Agent-General of Immigration ?

A. There is no Deputy. Mr. Francis Adams has temporarily acted as the principal assistant of the Agent-General, and Mr. Albert Jourdain is the Chief Clerk in the Immigration Branch of the London Office.

Q. Who appointed Mr. Adams, the gentleman acting temporarily in the capacity of Assistant ?

A. Mr. Adams has not been formally appointed in such capacity. Mr. Jenkins engaged him to act. On this point I am authorized by the Minister of Agriculture to state that it is his intention to replace him by one of the Canadian agents that the Provinces had in Europe previous to the Conference, or by some competent person, having personal knowledge of Canada, from Canada.

Q. Is he (Mr. Adams) a Canadian, or has he any personal knowledge of this country ?

A. He is not, I believe, a Canadian ; and I cannot say what is his personal knowledge of this country. I understand, however, that he has been in Canada.

Q. Are any of the Clerks in the Agent-General's office Canadians, or do they know anything personally of this country ?

A. I believe that none of the Clerks are Canadians ; and I cannot say that any of them have personal knowledge of Canada.

MR. DOYLE'S REPORT ON MISS MACPHERSON AND MISS RYE'S CHILDREN.

Mr. Gordon, M.P., called the attention of the Committee to the work which was being done by Miss Macpherson. He said it was of great value to the country, and called for some recognition from the House. He intimated that, in his opinion, the Committee should recommend a grant of five thousand dollars to that lady to assist her in her work.

Mr. Trow requested Mr. Lowe to state whether the Department of Agriculture had any information respecting the work of Miss Macpherson ; and if so, that he would state what that information was, and also what was the opinion of the Department respecting that work.

Mr. Lowe said : the information which has been from time to time received by the Department respecting Miss Macpherson's work is favourable, and does not differ from the description given by Mr. Gordon. It is understood there have been some failures, but that they are few in number, and constitute the exception to the rule of general success. I have, however, to state that a report was a few days ago received from Mr. Andrew Doyle, an Imperial Local Government Inspector, who had been sent out to this country by the Local Government Board, to inspect the children brought to Canada by Miss Macpherson and Miss Rye, from the English workhouses. That report has been transmitted by the Secretary of State for the Colonies to His Excellency the Governor General, with a request that it should receive the serious attention of the members of the Canadian Government. I have that report with me, and I am authorized by the Minister of Agriculture to communicate it to this Committee, as well as to inform the Committee of its particular reference to the Canadian Government which I have stated. I may say generally to the Committee that the report is long, and fills a pamphlet of 41 closely printed pages. It is highly adverse to the work which has been done, both by

Miss Macpherson and Miss Rye ; and, in fact, makes reflections upon both these ladies of a severe character. Without attempting to give to the Committee a summary of the report, I may say that Mr. Doyle in substance charges these ladies with failing in the responsibility which they have undertaken with regard to the workhouse children, in that they have not maintained the care and supervision over them which they promised. He intimates, as a consequence, that some of the girls have gone wholly to destruction, and some of the boys to the gaols. He states that many of the children are placed in unsuitable situations, and required to do work for which they are wholly unfitted. This state of things, in many cases, he further alleges, leads to hardship and positive cruelty. "The Homes" he considers insufficient for their requirements, and that the supervision or inspection of the children after they are placed out, is of the loosest possible character. In fact, he gives it to be understood that the system amounts to nothing more than just scattering the children broadcast here and there, and losing sight of them, in conditions, in which in many cases, improper advantages may be and are taken of them. He does not give any information as to the number of children who are doing well, or the proportion of failures to the whole. But he makes the general statement "nine-tenths" of the children who have been brought out are still in service, and it remains to be seen how they "will turn out." No evidence whatever is adduced to show that so large a proportion as one-tenth of the children is out of service. Of the nine-tenths in service, Mr. Doyle says further: "The prospects of a considerable number of them are no doubt promising. Of the prospects of a still greater number no one can honestly say anything, one way or the other, so little is known of them." Of the "adopted" children he states that about 10 per cent. of the very young are very happily placed in respectable families. It may be remarked that Mr. Doyle does not classify in his observations the pauper children from workhouses and those who have been picked up by the ladies from the streets; and further, that he states he did not make an inspection of more than 400 cases, which only form about one-eighth part of the whole of the children brought out by these ladies. But he adds he did visit a sufficient number of cases to enable him to see the system. He more than insinuates that these ladies are not wholly actuated by motives of benevolence, and states that for the pauper children they receive 8*l.* 8*s.* stg. per head from the Poor Law authorities, while they obtain passenger warrants from the Dominion Government for 3*l.* 5*s.* stg. or 2*l.* 5*s.* stg., and get also from the Ontario Government the refund bonus of 1*l.* 4*s.* 8*d.* per head. Further that they have free railway fares from Quebec given to them; and that the cost of their Homes is not more than about 200*l.* stg. per year each. He states the ladies informed him they desired a full inspection of their accounts, but up to the period of writing his report, they had not answered his request to be informed of the monies they had received from the Dominion and Provincial Governments. He therefore infers that on the pauper children at least, they receive five or six pounds sterling each, more than they pay out. I may on this point remark, however, that the pauper children only form a very inconsiderable portion of the whole of those who are brought out by Miss Macpherson, and a little more than half of those brought out by Miss Rye. Mr. Doyle does admit that under proper system, the emigration of those children to Canada might be advantageous to all concerned. He finds that Canada does possess a field capable of absorbing a very large number of agricultural labourers, and states that society in Canada is preferable to that in other parts of America. The conditions which he considers necessary, are receiving houses or "industrial establishments," under Government control, where the children would receive a few years' training in Canada before being placed out; and periodical inspections afterwards.

Q. What is your opinion of Mr. Doyle's conditions?

A. I think the "industrial establishments," which he proposes would be really an extension into this country of the English workhouse system, and that it would not be found to be satisfactory. I think it would be altogether unsuited to the ideas and condition of the people of this country. I think if the children are properly placed, the sooner they are so placed and absorbed into the population of Canada, that is, if they are such as should be at all brought to the country, the better; and that the less they would have of any workhouse mark, or any "industrial establishment" mark, to distinguish them from the ordinary children of this country, the better. Of course, however, in cases of unsuitability there must be some places to which the children can return; and there must be some supervision.

Q. What would be the effect of Mr. Doyle's report as it stands?

A. I think it would be to stop entirely the immigration of children from the workhouses, and very materially to affect the aid which Miss Macpherson and Miss Rye receive from the public in the United Kingdom to promote the emigration of what are called "arab" children.

Q. How should the allegations in the report be met?

A. The report is based on an inspection by an Imperial Government Officer, and, I do not, therefore, think that it can be met by any mere general statements as regards the condition of the children who have been already placed out. I think the only way to do so would be by means of detailed report based on a full inspection. This, if the present system of Miss Macpherson and Miss Rye is thought sufficient, might be made quite special for the purpose of ascertaining the accuracy of Mr. Doyle's statements. But it may be remarked that if such inquiry were undertaken, it would, under the present practice of our immigration system, properly belong to the Provincial Governments.

Q. Could not the Dominion Government make such an inquiry by commission or otherwise?

A. By the terms of the Union Act the jurisdiction with respect to immigration is joint between the Dominion and the Provincial Governments; and the Dominion Government might therefore undertake any inquiry it saw fit. But under the arrangements between Dominion Government and the Provinces, as established at the conference in November last, the question being as to the care of immigrants after arrival, I think the duty of such an inquiry would naturally belong to the Provincial Governments. It might, however, be necessary for the Dominion Government to transmit the report obtained to the Imperial Government.

Mr. White (of Hastings), and Mr. Pettes (of Brome), expressed the opinion that the report of Mr. Doyle, as described by Mr. Lowe, was erroneous and unjust in its conclusions. They stated they had personal knowledge of the work done by those ladies in their respective neighbourhoods, and that it was highly advantageous to all concerned.

Mr. Pettus submitted the following extracts from a letter written by *Miss Barber* in charge of *Miss Macpherson's Knowlton "Home"*:—

8th March 1875.

"It is somewhat difficult to definitely answer your question as to the number adopted by contract, as every person taking children has them on trial for the first year, with the right of returning them if not satisfied; and we, at the same time, reserve the right of removing each child before final arrangements are made.

"Say fifty adopted; eleven never yet placed out; two have turned out hopelessly bad, and have been sent back to England; one cast off for insubordination; one removed by death; one hundred and eight placed out have never changed their situations; sixty have changed situations once. Of those who have changed places once or more, I may say it is not always from any fault of themselves, but sometimes from change in the circumstances of the masters.

"Sometimes they have been found too young, or we have not placed the right dispositions together, and it frequently happens that a child that may not do well in one situation, is greatly valued in another. Only a few of the older boys have broken away from the control of the Home and are working for themselves.

"It is true the children brought out are not perfection, but are living children with just the same faults and failings as others.

"Neither are they finished servants, but still require patient training. But upon the whole they have turned out generally well, a few only disappointing us. And I can truly say, after three years experience in this work, that the children are as good and are doing as well as the same number would do gathered from any country or class you could name.

"We try to watch over every child as thoroughly as possible, by visiting, writing to, sending love gifts, &c. The children are scattered over a very large tract of country, so that the visiting is one of the great difficulties of our work.

"Any person who will visit the Knowlton Home, and go over our books, will, I believe, be quite satisfied that our children are not neglected in that respect.

Yours truly,
E. BARBER."

Committee Room, House of Commons, Ottawa,

16th March 1875.

Miss Annie Macpherson appeared before the Committee, and made the following statements regarding her work, in answer to questions by *Mr. Gordon*:—

The total number of children brought out under her agency since the year 1870, was two thousand.

Upon being solicited to take charge of the children, they are removed to the Home in Spitalfields in London.

The schoolmaster in the Home selected (after they had remained a month) such of the children as were healthy enough in constitution, and sufficiently educated. Those who passed the test were sent to the Homes in the country for training. If the children were ragged when they were taken in charge they were comfortably clothed and otherwise provided for; they were treated in all respects exactly as if they were her own brothers.

A doctor was in the institution every day to see to their health, even before they were judged ready to be formally received. The schoolmaster and others engaged in the work united in the consideration as to which of the children were suitable for emigration to Canada.

While they were in the Home they underwent a thorough system of education and discipline.

In their passage to this country the children were in charge of her (*Miss Macpherson*) or her co-workers, and of respectable adult emigrants, widows and others who aided them.

They had never tried to make any special bargain with the shippers; the children were brought out on the same terms as regular emigrants.

She (*Miss Macpherson*) and her assistants did not trust to the services of the ship-servants for attendance upon and care of the children, but turned in and helped at the work themselves.

Mr. Trow, M.P., here suggested that the better plan would be for *Miss Macpherson* to give a detailed account of her work in her own way; the number of emigrants brought out; the means at her disposal; whence these means were derived; the privileges, if any, she received from the Emigration Department; the schools she had established; how they were supported, and all other matters of that description.

Mr. Gordon, M.P., said that a number of charges had been made by *Mr. Doyle* against the work in which *Miss Macpherson* and her friends were engaged. That gentleman's report was being widely circulated; the matter had been taken up by the *Toronto Mail*, and he had also found the charges reproduced in a *St. Catherin's* newspaper. He believed that it was the desire of the Committee to obtain the fullest possible information on the subject, and allow the blame to fall upon those to whom it belonged.

Mr. Trow said *Mr. Doyle* was not on trial before the Committee. Their object was to ascertain the success of the enterprise.

The Chairman said he thought the Committee should decide upon the mode of conducting the inquiry. They should either allow *Mr. Gordon* to proceed, or some member of the Committee should write out the questions to be asked *Miss Macpherson*.

After further discussion it was decided to allow *Mr. Gordon* to proceed with the examination.

Miss Macpherson, in reply to further questions by *Mr. Gordon*, stated—She made no particular arrangements for bringing out the children. When her party was complete she went to the Agent-General in London to arrange for the regular emigrants refund bonus given by the Ontario Government. The sums she received amounted in three years to four thousand one hundred and seven dollars.

This bonus consisted of a payment of six dollars per head for all emigrants over twelve years of age.

No other advantage has been received from the Government of Canada except in reduced passages, such as given to other emigrants. Certain concessions were proposed to her last spring by the Canadian Government for bringing out emigrants by the Dominion line for three pounds five shillings sterling, but she had declined them, and had paid the regular fare.

The average cost of bringing the children out, up to last year, was 4*l.* 10*s.* per adult ; and half that amount for children under eight years of age. That was the fare between Liverpool and Quebec. The cost of transferring emigrants from London to Liverpool was 12*s.* 6*d.*, making the total fare from London to Quebec 5*l.* 2*s.* 6*d.* sterling.

They had three homes in Canada for children ; one at Belleville, another at Galt, and a third at Knowlton. The ladies who had charge of these homes made inquiries in advance about suitable places for the children.

A record was kept showing where the children were sent, how they were treated, and how they behaved themselves.

They were, as far as possible, given out to persons whose requirements would be suited by the children, and who would be expected to use them well. They always required a recommendation from a minister or other responsible person as to the respectability of those applying for the children.

When persons of improper habits made application they were invariably refused. They exercised a supervision over the children after they were sent out.

Since the children first came out in 1870, one of their schoolmasters had been travelling continually in Canada, making inquiries into the welfare of those who had been sent out. Even in cases where no special complaints were made, they kept a supervision over them.

A horse was kept at Belleville, for the use of their travelling agent, and no limit was imposed by her upon the expense of his visits. They had also a supervision of another kind. A number of ladies were continually making friendly visits in different districts of the country.

They had at the present time one of these visitors in Belleville, and two others in the Eastern Townships, and with these they were in constant communication.

In 1874 they had no less than twelve hundred reports ; in two hundred other cases there were two reports ; thus making in all sixteen hundred reports.

They kept a record in a book at the Spitalfields Home, where friends of those sent out could ascertain how the emigrants were getting on in Canada. These inquiries were often the means of their getting other emigrants. The homes both in England and Canada were open night and day ; and the right of removing children who had not been well placed was exercised in all cases in which it was found they were not well treated.

In all cases when children were returned, they endeavoured to ascertain who was in fault, and even when it was found the child was to blame, he was kept under the care of the Home. They had no rule as to how long the children were to be so kept.

In one case, a child which had developed into an imbecile was returned to England.

(A register of the children who had come to Canada under her care was exhibited to the Committee.)

Some of the records had been lost when the Home was burnt. Of the two thousand children she had brought out, three hundred and fifty had come from the workhouse, on the condition that they should lose the badge of the workhouse when they came under her mission. They were taken on the same terms as Miss Rye's children, namely, 8*l.* 8*s.* sterling each was received from the workhouse to assist in their maintenance, &c.

Referring to the charge made by Mr. Doyle that the persons engaged in the work had made money by it, she said their books were perfectly open to inspection. Their habit was to publish an occasional paper on emigration, and every six months they issued in England a balance sheet. Their accounts were kept by a public accountant, and two gentlemen audited the accounts every year.

(These half-yearly accounts in printed form were here exhibited to the Committee.)

The Canadian accounts were audited by gentlemen in Canada. Of the 8*l.* 8*s.* sterling which was received with the workhouse children, 4*l.* 10*s.* sterling was paid for passage money ; the balance went to assist in paying general expenses of the work. The total annual expenditure on the Homes was about \$12,000.

The workhouse children got an outfit from the workhouse. Besides submitting her balance-sheet, she desired that the fullest investigation should be made into the details of her expenditure.

The following statements were read from the accounts produced:—

Belleville Home, amount expended for the year 1874	-	\$3,311	87
Balance in hand	-	-	3 00
Galt Home, amount expended for the year 1874	-	\$4,002	00
Balance -	-	-	78 00
Knowlton Home, for the year 1874	-	\$4,998	33
No cash on hand.			

Miss Macpherson (continuing)—The three Homes had been originally purchased for about one thousand pounds each ; and in all about fifty thousand dollars had been expended in the whole work in five years.

The sum expended annually on each of the homes was not two hundred pounds sterling, as stated by Mr. Doyle, but about eight hundred pounds sterling. She said that they might add other items which would make the sum larger, as for example, the expense of their travelling agent which was charged in the English and not in the Canadian account.

Miss Bilborough—On being asked as to the per-centage of children adopted of those brought out, said that the number of adopted cases was not ascertained. The number of adopted cases in Canada depended on the measures which were taken to have the children adopted. If adoption were proposed by friends, large numbers of children would be taken in this way ; but if it were proposed by Government Inspectors she did not think the people would care to take many. All the children they had brought out for the purpose had been adopted, but she could not tell from the classification if ten per cent. had been adopted or not.

Miss Barber stated, that in Knowlton they had about two hundred and eighty children, of whom fifty had been adopted. There were, besides, a number who probably would be adopted.

Miss Macpherson (resuming)—After distributing the children in the summer and all through the winter, these Homes were open for such children as came back. They kept them until such time as they thought fit to place them out again. Referring to Mr. Doyle's statements, she said that full inquiries were made as to the character of those wishing to adopt children before they were sent out. In most cases the boys were treated just as farmers' own sons were. They were frequently put out at a very early age.

The children were so fond of coming back to the Homes that they were obliged to be a little strict. She always told the boys that if they succeeded well they might contribute money according to their ability to aid in getting others out to this country.

They had received over one thousand dollars in this way. Many of the boys they had brought out had succeeded well; numbers of them were regular attendants of churches, Sabbath schools and Young Men's Christian Associations.

There were black sheep in every fold, and of course there were some in theirs; but all they desired was that they should be judged by their work as a whole and not by individual cases. A gentleman had once written to Miss Bilborough, saying that he would take no more interest in the work as he heard there were no less than 45 of their children in the Reformatory in Penetanguishene. On making inquiries it was found that the number was four or five. He had united the two figures, and so had made the number 45. The gentleman had resumed his interest in the work, and his next letter was accompanied with his usual subscription.

Mr. Smith, M.P., said he had heard it stated that amongst those who succeeded well, were some who had attained to professions.

Hon. Mr. Flint, Senator, said he might be allowed to refer to one case which had come under his notice. One of the boys whom he had observed as an active intelligent looking lad had been with his son since the fall of 1870. He had no means, nothing but the clothes he had on; and had but little education when he came to him. He had since educated himself, not at schools, but had pursued his studies in the office and his boarding house. He had successfully passed his examination at Toronto, and in two years, if his health were spared, he would be an Attorney-at-Law.

His (*Mr. Flint's*) son feeling an interest in him, procured him clothes and gave him sufficient money to pay his expenses in order that he might get on in his profession.

He (*Mr. Flint*) was satisfied that if his life was spared him, he would yet make his mark in the country.

He (*Mr. Flint*) was from the first connected with the Belleville Home as one of its workers. When Miss Macpherson first came out she stopped at Belleville and circumstances led to his meeting her. The friend with whom she intended stopping being unwell, she came to his house along with Miss Bilborough.

It was suggested that we should get the place (Marchmont) for the next lot of children she brought out. He brought the matter before the County Council, and they voted a sum of money to pay the rent of the place for one year.

The first lot of boys that came out he had nothing to do with, excepting one who was in his care; when the next lot of boys came out he was there. They were fine healthy-looking boys.

There were some fears expressed in the neighbourhood that there would be a great deal of pilfering, noise and disturbance among them, but it was afterwards expressed to him, that they had never seen a more orderly or well-behaved lot of boys. They had never caused the least trouble, and though the trees were loaded with apples, none had been stolen by them. He had taken four of the second batch. He put them out at various trades; one at a foundry, another with a grist miller, a third with a scythe-maker, and a fourth with a hammer-maker. They were in a fair way of doing well, when unfortunately other influences prevailed. They were told they could get a deal more money by working for farmers, so they went away. They remained a little over a year and a half.

None had returned to their trades except one.

The difficulty they experienced with these boys was that when they were sent out to farmers, other farmers induced them to leave by promise of higher wages. He knew that Miss Macpherson had been troubled considerably by these cases.

He took one little fellow of the first lot of boys and put him with his gardener. He seemed to enjoy it for some time, but he concluded at last that he would like to work at something else by which he could earn more money. He (*Mr. Flint*) did not approve of giving the boys much money, but he had always supplied them with clothes and other necessities as they required them.

The boy left him (*Mr. Flint*), and went with a farmer about 25 or 30 miles distant. He was there yet and doing well, so that his discontent was not owing to a bad disposition, but simply that he did not like his place. So far as his part of the country was concerned the work had been a success. Children were never given out except to those who produced sufficient recommendations as to character, &c., and the ones who found fault were those who applied for children too late to be supplied, and were refused, or because they did not produce these recommendations.

Some people who kept public-houses made application, and were of course refused, and they were very apt to grumble on that account. He (*Mr. Flint*) knew from his own personal knowledge, that Mr. Thom spent a great part of the time in visiting the children.

He (*Mr. Flint*) had audited the accounts last year, and had been very careful, as they always have to be sent to England.

He had no hesitation in saying that the work was one not only calculated to benefit the children, but to be of service to the country. He had carefully examined Mr. Doyle's report, and was astonished that any gentleman could so persistently present the dark side of the subject to the people. It seemed to him that Mr. Doyle had an object in so doing, as he wished to establish a system of red-tapeism by which all the visiting would be conducted by Government inspectors. He (*Mr. Flint*) was very certain that that system of inspection would not be nearly so successful as the one employed by Miss Macpherson and her friends. On one occasion Mr. Doyle had been at his (*Mr. Flint's*) house, he (*Mr. Flint*) had

been desirous of having a talk with him so that they might exchange information on emigration subjects, but he (*Mr. Flint*) found that it was impossible for him to tell anything to Mr. Doyle which that gentleman did not already profess to know. He (*Mr. Flint*) could not get in a word edgewise. He had come to the conclusion that Mr. Doyle had a theory of his own which had to be adopted to the exclusion of all others.

And he had no faith in the report he had published. He believed he could answer that report himself. He thought it was very wrong for that gentleman to get out such a report and especially to mix up the work accomplished by Miss Rye with that of Miss Macpherson, as they were entirely distinct, and conducted on different principles.

Mr. White, M.P., said that the Rev. David Wishart, near Madoc, had some immigrant boys who had not turned out very well. He wished to know whether they had been brought out by Miss Macpherson?

Miss Macpherson said they had.

Mr. White said that he believed the reason these boys had not got on so well as might be desired was, that Madoc was a small place, and during the time the boys were there, it was full of miners. He had learned since, that the boys were doing better.

Hon. Mr. Flint read from Mr. Doyle's report in reference to some remarks alleged to be made by the Warden of Hastings in reference to the children in that locality, and said that when he brought up in the County Council, the question of granting seventy pounds for the rent of the Marchmont Home, the gentleman referred to, *Mr. Wood*, had not opposed the motion. He had then and afterwards spoken very highly in favour of Miss Macpherson's work. He (*Mr. Flint*) had received in Belleville, after the Home was burnt down, about one thousand dollars, without any pressing, to be applied towards the getting a new Home.

Other contributions had come in from various parts of the country, and the County Council, of which this same gentleman was warden, had granted five hundred dollars to the Home. How he had changed his mind since he could not tell, as he had never heard him speak ill of the work. The Home had been bought and paid for chiefly by the voluntary contributions of the people of Ontario and Quebec.

He had received a number of subscriptions from the latter Province, besides sums from ladies and gentlemen on the other side of the line.

He was of opinion that the character of those sent out among the farmers, compared favourably with that of farmers' sons. He had had quite a number of them himself, and he knew he had less difficulty with them than with the same number of country boys.

Miss Macpherson, referring to the class of children brought out, said that her schoolmaster was pledged not to bring in any from the depraved or criminal classes.

It had been averred that they brought out diseased children, but the fact was they had to undergo examinations at the hands of medical men,—first in their institution at London, again on embarkation, and again on board the ship.

Mr. Flint said that the money stated in Doyle's report, as having been paid over to Miss Macpherson by these children, was paid in the way which she had explained.

It was done in the endeavour to get the children in the way of taking care of their money, in order to aid in bringing out their friends, relatives and other poor children to this country. He mentioned the case of one little girl, who could not have been more than twelve or thirteen years of age, who went out to service in a family, and who was, he believed, the first to pay over money in this way. She contributed five pounds to get out another child. He believed this plan would inculcate in the children themselves an interest in the work.

Miss Macpherson further said this was her second winter in Canada, and the object of her visit was to remedy any defect in the work which might exist, and specially to see to the re-training of those who required it.

For example, those whose tempers were sour or unruly, they were continually endeavouring to retain at each of the homes. They were also making the homes more comfortable by improving the dormitories, &c.

Mr. Trow.—From what sources are these children drawn? Were they from the streets of London, or from the rural districts?

Miss Macpherson said London was the centre of the world, and many came there from the rural districts. Referring to the maintenance of the work, she said they only received what was voluntarily contributed. Canadians had made contributions on this principle; the exact amount was stated on their balance sheet. About six hundred of the two thousand children brought out were girls. Those under twelve years of age had with scarcely any exception done well, most of them having been adopted in the families of farmers who treated them as their own children.

Some of the older ones had not done so well; and their efforts were being directed to bringing out younger children every year.

Many ministers, who had no families of their own, had adopted these children, and had made themselves voluntary agents for the assistance of the work.

Mr. Pettes, M.P., gave the following particulars respecting the Knowlton Home:—

There had been two hundred and eighty persons in the Institution, including four women adults; about one hundred and twenty-nine boys, and one hundred and forty-seven girls.

Of the total number, two hundred and thirty-five were English, twenty-one Irish, nineteen Scotch, and five Canadians.

Their ages range from eighteen months to twenty years. He believed, from his knowledge of the children, that those under the age of twelve years had usually done better than those of a more advanced age. He was personally aware of a number of children being placed out—not adopted at once—but temporarily placed out in order to see how they would get on.

He had known several instances where they did not get on well, owing to their dispositions and that of their masters' being very dissimilar.

Children who had been harshly treated at one place had been sent to other farmers, and being kindly treated had become attached to them, and had remained with them ever since. Only two or three had proved incorrigible.

One hundred and eight out of the two hundred and eighty had never changed their places ; sixty had changed once or more. A very large amount of visiting had been done with good results.

He was satisfied the work was being conducted in the best possible manner in the interests of the children and of those requiring them.

Miss Macpherson resuming said : that the number of deaths which had occurred among the 2,000 children brought out during the past five years had only been ten.

They brought them out according to the means they had ; there was no limit to the placing of them ; the demand was generally in excess of the supply. Mr. Cockshut, of Brantford, and others, would often ask for two or three little girls to educate. They required more organization than they now had ; for one thing, they intended putting on more visitors.

The year 1869 had been one of destitution in the East of London, and she and Miss Logan had that year sent out three hundred adults, at a cost of 2,400*l.* sterling. They had never interfered with the regular emigration agencies in the old country. The total cost of their mission in England was about \$50,000, yearly, for training, passage, clothing, contingencies, &c. She stated that she had not received any money whatever for her own services ; but had paid in all that she had received for the purpose of furthering the work.

She further said, in answer to a question put, that she did not intend to bring out any more pauper children from the workhouses.

Committee Rooms, 20th March 1875.

COLONIZATION IN MANITOBA.

Mr. Lowe, [re-examined.]—*Q.* Has there been any reservation of land in Manitoba or the Northwest for Canadians returning from the United States ?

A. Yes, four townships have been set aside in Manitoba by Order in Council, of yesterday's date, for "The Colonization Society of Manitoba," the land to be given free to actual settlers who fulfil the conditions required by the "Lands Act." When thirty-five families have settled in a township, then there will be a grant made of 640 acres for a town site to the Society, the proceeds of sales therefrom to be controlled entirely by the Society for its benefit. The town site may be acquired before the settlement by thirty-five families on the payment by the Society of \$640 in cash, but such payment to be returned to the Society after the required number of families shall have settled in the township. Two of the townships are required to be settled by the 15th July 1876, and two others before the corresponding date of the following year.

Q. Is any aid granted to assist in paying the railway fares from the United States to Manitoba ?

A. There has not yet been any decision to grant such aid, but negotiations have been set on foot to obtain cheap railway fares, which will, in fact, constitute a sort of aid.

MISS MACPHERSON'S AND MISS RYE'S CHILDREN.

Mr. Young, M.P., examined.—When Miss Macpherson first came to Canada she paid a visit to Galt, among other places, and at a large meeting held in that town, she had given details respecting her work, and had met with a most cordial reception by the people in the neighbourhood. So far as he (Mr. Young) had been able to examine the work, he believed that it was a Christian work, and a work which had accomplished an immense amount of good to these young people. He believed that taking it all in all, there was no portion of our emigration system that had really been better for Canada than this one, and it was besides, so far as the country was concerned, very cheaply conducted. He believed that the most of the boys whom these ladies were bringing out would not only do well for themselves, but would make first-class settlers as they grew up. With regard to the accounts, he believed they were semi-annually audited in London, at all events he had several times had handed to him the statements of the London auditors of the expenditures for each six months. He had been surprised to notice the very large amount voluntarily contributed by people in Great Britain, who felt interested in the encouragement of the work. This was one of the best evidences that they could desire, that those who knew Miss Macpherson best, and the work in which she was engaged, had the fullest confidence in her integrity and good management. He had glanced briefly over the report of Mr. Doyle, the Government Inspector. It was very ably written, but it appeared to him (Mr. Young) that he assumed an air of fairness in the first portion of the pamphlet which was hardly sustained in the latter part. In fact he considered the latter portion very unfair, and it was all the more so, because people reading the report would be apt to be deceived by the appearance of fairness which Mr. Doyle had given to the introductory part of his work. It was perhaps unintentional, but that gentleman had certainly done a great injustice to the ladies associated in the enterprise. There was, for example, the statement that the expenditure on each of the Homes was 200*l.* annually. He (Mr. Young) knew himself that this statement was utterly and absurdly incorrect, and he could not imagine how, if he had made proper inquiry into the matter, he could have fallen into an error so gross. It was well known that if two or three loads of boys of fifty or sixty each had to be kept for several months at each of the Homes, it could not be done without a considerable amount of expense. He had no doubt that the statement of the expense made by Miss Macpherson herself was entirely correct. Mr. Doyle had evidently looked at the work entirely in the light of an Inspector of the Poor Law Board of Great Britain, and had not taken into account the different state of society, and different circumstances which existed in this country. He seemed to think that the boys must go entirely astray if they were not constantly watched by a Government Inspector. He (Mr. Young) knew that Miss Macpherson and the other ladies kept a close supervision over all the children, and always gave them to understand that they could return to the Home if they were not well used by those adopting them. He knew that they were very particular as to the people who got the children, and made a very strict examination into their character. He (Mr. Young) had often been applied to by the ladies with respect to the people who wished to get the children, and they were particular in asking if the applicants were Christian people, and would be likely to use the children well. The children generally manifested the

greatest affection for Miss Macpherson, and appeared to regard her as their protector and benefactor. He had never heard of any instances of harsh treatment so far as the Galt Home was concerned. It would be noticed that Mr. Doyle had given credit to Miss Reavell and the other ladies who managed the Home for their general management. These ladies visited many of the children every little while, and Mr. Thom was also frequently engaged in visiting them. He (Mr. Young) believed that that was really all the inspection that was needed, and he had no doubt that Government inspection would not work nearly so well as the system now followed. Neither the people nor the children would like it. He noticed that reference was made to the fact that the boys paid back a portion of the passage money, and that the sum of \$1,000 had been refunded in this way. He believed that fact was a very striking proof of the excellent character of the work, as the money was all paid voluntarily. He understood that when the boys paid their portion of this money they were given a certificate by Miss Macpherson, and he knew that they set a very high value on this certificate, and were in the habit of producing it as a proof of what they had been able to do in this country. The very fact that they were able to pay back this money proved not only that they were doing well in their new homes, but it was evidence of the good moral influence which had been brought to bear upon them. He thought the Committee should, not only in justice to Miss Macpherson, but in the interests of the Dominion, bring in such a report as would defend the work from the unjust imputations cast upon it by Mr. Doyle's report.

In reply to *Mr. White*,—

Mr. Young stated that it was not uncommon for those visiting the children in their adopted homes to remain over night in order that they might have better opportunities of judging whether or not the children were properly treated. He might remark that a large number of ladies in Brantford, Galt, and other towns and villages, co-operate with Miss Macpherson in the maintenance of the Homes by making garments, &c. In Galt there was a regular society for making up clothes for the children. About once a year they held a re-union at the Galt Home, at which all the children who could be brought, were present. He did not think that any one could see the manner in which the work was being conducted without being pleased with its success. It was necessary to have assistance in taking charge of the children in coming across the Atlantic, and he knew that several persons who were quite wealthy but took a deep interest in the work in Great Britain, had come across with the children. Several of these ladies had come to the Galt Home, had visited among the children, but even these persons had paid their board during the month or six weeks they remained at the Home.

Hon. Mr. Flint made the following statement:—

Miss Bilborough, who had been connected with the Belleville Home ever since she had come to the country, with the exception of a short visit she made to her friends, was supplied with funds by her father and brothers, and did not charge any of her expenses to the Home. She had also at her own expense furnished the Home with a first-class horse, buggy, and sleigh and harness, which was constantly in use by the ladies, and by Mr. Thom in visiting the children. Besides losing all her clothes, &c. by the burning of the Home, she had lost the sum of two hundred dollars which she had drawn from the bank. It was suggested to the owners of the bank that she should not lose the money, and they acted on the suggestion. Her parents were wealthy, and they would like her to remain at home, but she had determined to devote herself entirely to the work. She did not receive a cent other than her own money. The only one who was paid anything was Mr. Thom,—the teacher and visitor. They were obliged of course to pay for help in the Home, but so far as Miss Bilborough, and I believe the other ladies, were concerned, they paid their own way.

The Chairman submitted the following letter from *Mr. Gordon, M.P.*:—

To the Chairman of the Committee on Immigration :

• DEAR SIR,—Respecting Miss Macpherson's scheme of immigration which engaged your attention at the meeting of your committee on Tuesday, the 16th inst., I beg respectfully to submit that the following propositions were satisfactorily established in rebuttal of the charges and allegations put forth by Mr. Doyle in his report to the British Government upon the matter in question, at least so far as Miss Macpherson's method of operations is concerned.

1st. That since 1870 Miss Macpherson has brought out 2,000 children from Great Britain to Canada, of which number 300 were girls and 1,700 boys; 350 were taken from various workhouses, and 1,650 from distressed and orphaned families, or waifs gathered from the streets of London and other large cities.

2nd. That the children brought out to Canada under Miss Macpherson's auspices undergo a careful preliminary educational disciplinary training before being selected for immigration, but no rule as to length of time.

3rd. That due medical supervision is exercised previous to immigration, to prevent crippled or diseased children from participating in the scheme.

4th. That proper guardianship is exercised over the children from the time of embarkation until their distribution to either of the three "Homes" or "Refuges" established and maintained for their use in Canada.

5th. That proper care is subsequently exercised to have the children adopted into respectable families, or apprenticed to persons who furnish satisfactory proof of good moral character, and their willingness and ability to carry out the pecuniary obligations into which they enter in behalf of the child adopted by or apprenticed to them. That a part of these obligations provides for the proper education and moral training of the child.

6th. That a subsequent kindly supervision is exercised over the respective children after their adoption or apprenticeship by correspondence, supervision by ladies visits, and appointed visiting agent.

7th. That when it is ascertained that through incompatibility of temper, insubordination, or wrongdoing, a continuation of the relationship becomes undesirable or impracticable, the child is again taken back to the "Home" to undergo a kindly dealing, having special regard to the faults which may have previously been developed, and the cause of dissatisfaction with their previous employers.

8th. That the children already brought out have proved unusually healthy. That their moral

Character will bear a favourable comparison with an equal number of the children of Canadian farmers. That the children manifest proper gratitude for kind treatment. That many of them keep up a correspondence with Miss Macpherson, and according to their ability have contributed sums (never exceeding \$25) for the purpose of helping other poor children to emigrate and become partakers of like comforts and blessings with themselves. That the aggregate sum thus contributed during four years, exceeds \$1,000 or 200*l.* sterling.

9th. That the average expense of maintaining the respective "Homes" at Knowlton, Belleville, and Galt, is nearly \$4,000 or 800*l.* each. That careful and properly kept accounts are the rule in each "Home"—the annual receipts and expenditures being carefully audited by a leading resident in the vicinity of the respective Homes, and that abstracts of such accounts are forwarded to the public accountant and auditors in England. That in said accounts all moneys received from whatever source, are carefully accounted for, and that no portion whatever appears to have been appropriated by Miss Macpherson as profit on the respective transactions or as personal remuneration, but that all monies received have been conscientiously expended in behalf of the children and the necessary expenses of the several "Homes."

10th. That every reasonable means of access is afforded by Miss Macpherson for inspecting the "Homes," the method of training the children, the books in which the accounts of the several Institutions are kept, and any other reasonable information which can be desired or afforded.

11th. That Miss Macpherson's scheme has already been sufficiently tested to afford ample proof that the principles upon which it is founded and conducted are sound, and will, if followed out, become a valuable means of bringing out a good class of immigrants, who, from the tender age at which they are brought out, will become permanent residents of the Dominion in larger proportion than the adult class.

12th. That the sum received by Miss Macpherson from Government sources in Canada, in aiding her to bring out 2,000 children since 1870, is only \$4,107, or a trifle over \$2 per child. That a sum of equal amount should be given to her by Government for the children already brought out by her, to aid her in the maintenance of the Homes and a continuation and prosecution of the good work. And that your Committee should recommend that for each child subsequently brought out to Canada, a fixed sum of, say, \$4 should be given by the Dominion Government.

Trusting that the above deductions from the evidence given before your Committee, will meet with your cordial approval, and be embodied into and given effect by your report.

I remain yours respectfully,

House of Commons, March 19th 1875.

ADAM GORDON.

Committee Room, Ottawa, March 22nd 1875.

Honourable Mr. Vail stated that, having been a Member of the Nova Scotian Government when Miss Rye visited that Province and brought out a number of children, he had great pleasure in saying that, so far as he knew, the children brought out by that lady had turned out well, so much so that there was a great desire on the part of the Nova Scotians to get an increased number from year to year. Mrs. Burt had followed up Miss Rye's work, and Col. Lawrie, who was acting as a sort of agent for Mrs. Burt, was making every effort to get out an increased number during the coming year. He (Mr. Vail) was quite sure that there were, to say the least, some very extraordinary statements in Mr. Doyle's report. He (Doyle) had not taken the time necessary to make a full inquiry or to make himself thoroughly acquainted with the work before making a report, which was calculated to injure, to a great extent, the cause of emigration from the other side of the Atlantic to these colonies.

Miss Rye appeared before the Committee and made the following statement:—

Since she began her work in Canada (which was in 1867) she had brought out between that date and 1869, about 1,000 young women. The Dominion Government gave no aid to this work. A great many people had thought that she was dissatisfied with the result of that immigration, and that therefore she had turned her attention to the bringing out of children. She did not claim that all these young women had turned out well, but she did claim that there had been but a very small per-centage that had turned out ill, and that there had been a very great deal of talk about the few who had not done so well as might have been desired. About fourteen years ago, Lord Shaftesbury had had a conversation with her about getting homes in Canada for young children. She had borne the matter in mind for some time, and in 1869 a gentleman from New York—an assistant of Mr. Brace's—had visited London and explained what was done in New York and neighbourhood with poor children—sending them from the over-crowded Eastern cities to the far West, and finding for them good homes for life. She then began to think Lord Shaftesbury's idea could be realized, and by her own exertions, and with the aid of the Press, she had been able to raise enough money to buy a Home in Canada, in which to place the children when they were first brought out. This Home was bought in the beginning of 1868 at Niagara, and fitted up for a suitable residence. She had then gone back to England with her mind full of the idea of getting children off the streets, but on giving the matter further consideration she was impressed with the opinion that this plan would be scarcely fair to the Colonies. She thought children so emigrated should have a certain amount of training, and she had not seen exactly where she was to get the money or the strength to carry out the purpose. In this difficulty she had gone to Mr. Rathbone, Member of Parliament for Liverpool, who at once caught at an idea on the subject. He said that the Liverpool Workhouse was in a different position from others in England, as it had the power of voting a certain amount of money for the welfare of its inmates, independently of the Central Board in London, of which (she might add) Mr. Doyle was one of its most confidential officers. Mr. Rathbone had undertaken to find one half the cost of the experiment they proposed trying, provided the Workhouse authorities would do the same.

The Liverpool Board had consented to allow the children to be brought out. Fifty children were brought to her, and in October 1869, she had taken them over to Canada. For some little time they had remained on her hands, as people were a little afraid to take them, but she had ultimately suc-

ceeded in placing them in good homes. She would give the Committee some particulars as to how these fifty little girls had succeeded.—

Twenty of them were at the present time (March 1875) doing exceedingly well, in the same houses she had placed them in 1869; two were dead; one was married, and into her master's family; one was at present on a visit to England; only five had been removed once; nineteen were doing fairly well; and only two had turned out lazy, idle, and worthless girls. She had come to-day to protest against Mr. Doyle's unjust, ungenerous, and most inaccurate report. It had been said that in the course of four, five, or six years, she (Miss Rye) and the country would be disgraced by the conduct of these children. She had specially desired Mr. Doyle to inquire into the condition and behaviour of these children brought out in 1869, when he was in Canada,—but he had declined, because certain formalities of the Whitehall Board had not been complied with. The result of the experiment with these fifty children had so far satisfied the Liverpool Board that they had endorsed her action. Other work-houses, in all about forty-six, had been opened to her, though, of course, there had to be a great deal of coaxing and arguing to be done, on account of the indifference and ignorance which prevailed in England in reference to these matters. The number of children she had brought out up to the present time amounted to 1,377, of whom 202 were boys. There were sixty-eight adult women and 1,102 little girls, varying in age from six months to fourteen years of age. About 200 of the 1,102 were non-union children, that is, they were from Peckham, Bath, Wolverhampton, and other orphanages. She was quite sure that if they made a strict inquiry into the condition of the children who had been brought, they would find that not more than three per cent. had proved failures. She (Miss Rye) did not take any credit for that, beyond the fact that she had conceived the idea; the work had been done by good and kind men and women all over Canada, and they had done the work well. She claimed that Mr. Doyle was unjust because, though she had a number of centres for her work, and friends kindly co-operating and working well, yet he had only visited Mr. and Mrs. Robson at Newcastle, and Mr. and Mrs. Ball at Niagara, and had never gone at all to others. He had never visited Halifax, St. John, Mount Forest, Grimsby or Bradford, and he arrived at Chatham about three o'clock on a Saturday, and left the Monday following. Referring to a statement in Mr. Doyle's report, that she (Miss Rye) had brought fifty children to London last June; that she and they had been entertained at the expense of the public, and that whoever came might take the children if they chose, Miss Rye said the facts were, that she took twelve children to London instead of fifty; she was in London one week in advance of the children, during which time she was the guest of Captain and Mrs. Whitehead. She had had twenty-eight applications for these twelve children. Of the twenty-eight persons who had made application she had, by personal inquiry, aided by other friends in London, selected the twelve who were the most likely to take care of the children; that the children came up to London at the expense of the Home and under care of a responsible person, and that they never went into or near the town hall. Referring to Mr. Doyle's statement to the effect that "a little girl who could not be hired " to tell a lie," had been punished by being put on bread and cold water for eleven days, she (Miss Rye) said that she had put this girl on bread and water for two or three days, as she sometimes had to do with very unruly and intractable children. Any one who knew anything of the training of children of this class, would admit that punishment of some kind was necessary in certain cases. She had had in all 290 children sent back, for whom she had had to find over 700 places, and her correspondence at Niagara would show that the reason assigned in a great many cases for returning them was that they did not like to punish other people's children. They said that they had neighbours interfering, &c., but they would not punish them. This had been the case with the little girl referred to by Mr. Doyle. She had been sent out to no less than nine different places in four years, and had been returned from each for insubordination. The only evidence upon which Mr. Doyle had based his assertions in this case was the mere word of the girl herself, which he had evidently deemed sufficient to entitle it to mention in a Governmental Report. The girl referred to was returned to Miss Rye one fortnight after Mr. Doyle saw her, for slapping her mistress's face. Mr. Doyle had never asked her (Miss Rye) one question regarding this girl's character. Another charge against her was, that she put out children in the United States, which was, according to Mr. Doyle, a deadly crime. She had put twenty work-house girls in the United States in homes for which they were particularly fitted, and which particularly suited them. She had to consider not only the suitability of the homes for the children, but the suitability of the children for the homes, as it would be ridiculous to place children of a low type in the best families, and *vice versa*. The children would not be happy, and the people would not be likely to keep them. They had to use discrimination in placing them so as to get them into the fittest homes. Mr. Doyle said that she kept no real register of her children so as to give an idea of what the work really was. She did not attempt to keep a very detailed account of the work, for the very simple reason that she had not sufficient time to do so. When she was in England her time was fully taken up, and here she was burdened with the care of 300 or 400 fresh children every year. She had also a great deal of correspondence. She had shown Mr. Doyle 6,000 or 7,000 letters which she and one young lady with her had attended to in the last six years. She thought it was exceedingly ungenerous in Mr. Doyle to expect her, in addition to attending to this large correspondence, to write up careful reports in red-tape fashion. He had also insinuated that while her Home was in good order on the occasion of his visit, that it had been specially prepared for his inspection; the truth was, that when Mr. Doyle visited Niagara, Miss Rye and her assistant were both ill and away from the Home. Mr. Doyle had said also that she kept a paid matron and one paid servant, and Mr. Doyle had seen each servant separately and asked each servant the amount of wages paid to a paid matron and to three paid servants besides. There was another point she wished to refer to: when Mr. Doyle came to the Home he had very properly asked about the accounts. She had taken out her bills and had said that that was the weakest part of the work. That other and more important work had kept her from keeping the books as they should have been kept. She had given him (Mr. Doyle) her bank-book and her bills, and had asked him to examine them, offering to help as he had his clerk with him. This Mr. Doyle declined doing, on the ground that he had not time to make any investigation. He had asked for an account of the moneys she had received from the different Governments, and she had replied that she had been at the work for ten years and had never written one letter to Ottawa. She

had received \$600 at one time from the Ontario Government, and \$900 on another occasion, \$1,500 in the ten years. She had given him a blue book to prove that, for as he seemed to have a great fondness for official reports, she thought a blue book would satisfy him better than a statement of her own. She had only to say now that if they would make a fair inquiry she was prepared to show all her books, correspondence, &c., and she was besides prepared to do what Mr. Doyle and the whole body of Governmental officials in England with their force of men and women dare not do—that is, she would satisfy them that the thousand children she had placed during the last six years had on the whole done remarkably well. Mr. Doyle had said that her Home ought to be open for children who might come back from any cause. The sick were to be nursed, the unruly managed, the vicious restrained, a lying-in ward added, and cases of prosecution conducted from that same centre, and expected her to accomplish all this for 8*l.* 8*s.* sterling, which in fact they could not do in England for 24*l.* per annum. There were a great many things that might be added to the work, but she had not the money. There should be a home for returned children, to separate them from the better behaved children who should not be mixed with the others. The question for the people of Canada to consider was this: there were a large number of fine children in England, who would be valuable to this country, and whom the British Government would be willing to assist out here. She had not the means of carrying on the work as she would desire, and it was for them to say how it should be accomplished. One thing that was needful at the Home, was a proper place for the children in case of sickness. Mr. Doyle had thought they should have a large infirmary, and though they had had so far, very little sickness, some such place was required. Mr. Doyle had also found fault with their arrangements in coming across the Atlantic. The fact was, the children were brought out in the same way as if their fathers and mothers were with them. The accommodation was very good. She had an excellent matron whose assistance was supplemented by some young women who came out with them every time. She had brought out 68 of the latter class within the last five years. He had also said that they should bring out the children by fifty instead of by hundreds. She thought that it was just as easy, in one sense, to bring out one hundred as it was to bring fifty. What she specially desired the House to do was to make a full investigation—not of isolated cases, but of the whole work. If this investigation proved satisfactory, she asked for a recognition of the fact, which would be beneficial not only in this country but in England. She hoped, also, that the Committee would recommend Parliament to grant a sum of \$5,000 or \$10,000 for the erection of a wing to the Home for the accommodation of the sick, and one for returned children. Mr. Doyle had spoken of the necessity of inspecting every child after they were placed in their homes, and he had made her say, according to his report, that she had repeatedly asked for such inspection. That statement was entirely at variance with what she had stated on the other side of the Atlantic. She had said that if the work were made conditional on such inspection, she was willing to submit, for the sake of keeping the work on. He (Mr. Doyle) had evidently formed his views on this subject from having seen the miserable homes to which children were sent out by the English boarding house system; but the children who were placed out in Canada were with the very best people in the country—people who would be insulted at the idea of their not being able to manage them. A suggestion had been thrown out that the inspection of these children should be conducted by the Government School Inspectors in the different localities, who might perhaps be induced to perform such duties by a small addition to their salaries. She had spoken to the Chief Superintendent of Education for Ontario—Dr. Ryerson—on the subject, who had said that he thought the system could be brought into operation, if the consent of the Head of the Department could be obtained. She was quite willing that this plan should be adopted if it would add to the success of the work. If the Government would vote this money for the enlargement of the Home, it would have a very great effect upon the work in England. She would be willing to place the house, grounds at Niagara, &c., in the hands of responsible trustees. Mr. Doyle had quoted the letters she had addressed to the Imperial Board at Whitehall, but he had omitted all mention of the third and most important letter, written in 1871, in which she had made the Poor Law Board the same offer that she now made, viz., that the work should be made a Government one—the Government taking the responsibility off her shoulders. She did not think she could have done much more to prove her personal disinterestedness in the matter. They had written her in reply, stating that as they were not an originating Board, they could not accept her offer. There was no reason why it should not be made a Government work, for so far as she was personally concerned, she did not care whether the property was in the hands of the Canadian or the Imperial Government, so long as it was in good custody; she would give the names of some of the people in the different districts who took the oversight of her children: In Halifax, there was Miss Cogswell (who had just died), and the Rev. Mr. Hill. In St. John, Ex-Governor Wilmot, Rev. Canon Scovill, Mr. Boyd, Mr. Daniels, and Mr. Attorney General King. In St. Catharines, Dr. Holland, Rev. Mr. Burson, Dr. Hill, and Mr. Clarke, of the Customs. In Grimsby, Mr. Cyrus Nelles, and Dr. Reid. In Niagara, Rev. Dr. McMurray, Mr. Robert Ball, J.P., and the Ex-Mayor of the town, Mr. Passard. In Cuatham, Mr. Scame, Mr. McCrae, Police Magistrate, and Rev. D. Van Allan. In Mount Forest, Mr. Sidney Smith, J.P. In Newcastle, Mr. and Mrs. Robson; and in London, Captain and Mrs. Whitehead.

[By Mr. Jones (Halifax):]—

Q. Mrs. Birt was not connected with her (Miss Rye's) work?

A. It was the same work, but under different management.

[By Mr. Stephenson, M.P.]:—

Q. How many children have you brought out to Canada first and last? How many deaths have occurred amongst them?

A. I have brought out over one thousand young women and children; four deaths had occurred in the Home and four out of it, and three of these had been accidents.

Q. How many are resident out of the country?

A. There are forty children out of the country, in the United States.

Q. What is the average period you have kept children in the Home at Niagara?

A. The average period is from three weeks to a month. That does not apply to children who are returned.

Q. What is the longest period you have kept children at the Home in Niagara, and why?

A. I kept one child for about nine months. She had been half starved, and was not fit to go out to work; there were two other little girls whom I kept for about eighteen months. They were very young, and we had not suitable homes for them.

Q. Did you ever speak of the children brought out to Canada by yourself as the "refuse of the workhouses?"

A. Never.

Q. Have you ever received commissions from the Allan Steamship Company, or from any other shipping firm?

A. No.

Q. Have you at any time received offers from the United States Government or United States authorities to transfer your labour to that country?

A. I have not received offers from the Government; I did receive an offer from the *New York Herald*. I have also received offers from some persons in Mississippi, and from another body of men in the Western States.

Q. Have you ever put yourself in communication with the Government at Ottawa, before your present visit, and have you ever had moneys from any other Government in Canada than the Ontario Government—say New Brunswick or Nova Scotia, where you have placed children, I believe?

A. Yes; I got about 300*l.* from the Government of New Brunswick to bring out some young women in 1872 or 1873. I brought out sixty women, and returned the balance of the money, for which I have a receipt.

Q. Mr. Doyle states that "The Western Home" of Miss Rye, at Niagara, is the old gaol of the town, bought for Miss Rye by subscription, and so altered and improved as to be in many respects a suitable building. Please state whether the Western Home was so purchased, and if not, how it was purchased?

A. The house was not bought for me; it was bought by money which I earned by writing for the press in England.

Mr. Stephenson here said—I have received a letter from Mr. Van Allan, Ex-Mayor of Chatham, bearing upon Mr. Doyle's statements with reference to the work there.

The letter was read and put in.

R. Stephenson, Esq., M.P., Ottawa.

MY DEAR SIR,

Chatham, 15th March 1875.

I was not a little pained, a few days since, upon learning that Mr. Doyle, who came from England ostensibly to look after the welfare of the orphan children brought from that country by Miss Rye and Miss McPherson, had, on his return home, issued a pamphlet in which he reflects, in most disparaging terms, upon the work of these ladies.

If Mr. Doyle's investigations were as searching all over as here, it is safe to say he really knew as much about these children before he left England as he did when he returned. He reached this place (in the neighbourhood of which there must be nearly 100 of these children) on Saturday afternoon, and left early on the following Monday, and, I am informed, saw some three or four of the children. I do not know whether you are a member of the Committee on Immigration and Colonization or not; if not, I trust you will do what you can to have the proposed investigation as thorough as possible, as you undoubtedly will, if on the Committee. The more thorough the investigation into Miss Rye's work, the more pronounced, I am satisfied, will be the complete vindication of that most philanthropic and estimable lady. I say this, taking it for granted Miss Rye is as careful *all over* as here, as to where she places the children, and as solicitous of their welfare afterward, as I have witnessed, as to the children she has placed in this neighbourhood.

Therefore, I firmly believe, if the whole truth is laid before the Committee of Miss Rye's work, Mr. Doyle's position, after the Committee report, will be an unenviable one.

I remain yours very truly,

(Signed) D. R. VAN ALLAN, Ex-Mayor.

Mr. Stephenson, M.P., stated that he was personally acquainted with the work of Miss Rye in the neighbourhood of Chatham, Ontario, and could not but give that lady credit for doing very much good, for which she was richly entitled to the thanks of the children committed to her charge. In the year 1870, Miss Rye brought four children to the town of Chatham—two in the summer and two in autumn. These children were placed with very much care, as, indeed, were all the children, some fifty or sixty subsequently brought to that town. Mr. E. W. Scane, a leading barrister, took one; Mr. C. H. Rose, dealer in lumber, took another; Mr. Aldis, a well-to-do farmer near, and large property-holder in Chatham, another; and Mr. Lawrence Skey, miller, the fourth. These were the children brought to Chatham in 1870. All the gentlemen above named are amongst the most respectable and comfortably situated in the locality. In 1872 two more girls were brought to Chatham by Miss Rye, Mr. Wm. Carruthers, station-master, taking one, and Mr. H. J. Eberts, at present Reeve of the town, and for several years Councillor of the same, taking another. Mr. Eberts, likewise, is Church Warden of Christ's Church (Church of England) Chatham. With these families Miss Rye kept up a regular correspondence, so that when that lady brought some 50 to 60 children to Chatham, in the year 1874, she had been able to secure excellent places for the greater portion of them, he might say for nearly all of them, who were taken to their new homes immediately upon their arrival in town. And he was happy to add that they are all now, with a single exception, he believed, in the places then secured for them. This exception was that of a little boy whose case is being warmly taken up by Miss Rye, the Town Council, and a number of philanthropic people who have interested themselves in the little fellow's behalf. One matter that deserves especial mention, to show the extreme care and thoughtfulness exhibited by Miss Rye in placing the children committed to her care, is this:—In the case of sisters and brothers, she has invariably striven—and in the neighbourhood of Chatham success has crowned her efforts—to place sisters in close proximity to each other, with families related to each other, or with families in the same neighbourhood. In Chatham and neighbour-

hood no less than ten such instances could be enumerated. For instance, the two girls taken by Mr. Scane and Mr. Rose, are in the same town; as are the two sisters with Mr. Eberts and Mr. Carruthers. Mr. Skey lives in Chatham, and has one girl whose sister is with Mr. Baldis, who resides within a very short distance outside the limits of the corporation. Then two other sisters were put out with two well-to-do farmers in the Township of Harwich (a municipality adjoining Chatham), named Tyhurst. Two other sisters were placed in two families, relatives and near neighbours, named Blackburn: while Mr. Louis Blackburn, Chairman of the Charity Committee of the Town of Chatham, has another of the children brought out by Miss Rye. So far as Mr. Stephenson's knowledge extended, and he claimed an intimate knowledge with the people of both town and country, from having represented the former for several years in the Council—being Mayor for three years—and Member for the latter in the Dominion Parliament, without hesitation he affirmed that Miss Rye was doing a great and good work, and from the manner in which she performed her self-imposed duties, she was unquestionably entitled to the support, praise and generous consideration of all humane, moral and philanthropic people on both sides of the Atlantic. He had one of the girls in his own family. He was not aware of Mr. Doyle's visit to Chatham; had he been so, he would have been delighted to have afforded that gentleman an opportunity to visit the greater proportion of the children, about sixty in all, and he felt assured that the impression he would have borne away with him, would have been one altogether favourable to the zealous and self-sacrificing labours of Miss Rye in the interest of the poor children that she brings from England to Canada. One other point, and he would have done. Mr. Doyle, in his report, refers to the comments of "the press" upon Miss Rye's work. Having had an intimate connection with the press of Canada for about 25 years, and during the whole of the period of Miss Rye's work in this Dominion having had the opportunity—indeed his profession, that of editor and publisher, made it necessary—to peruse the press, he could bring to his recollection but a single attempt to disparage Miss Rye in the remotest degree; and this was printed in a journal published in a town near to the Western Home, and was inspired, if not actually written, by a matron he believed discharged from that institution. Otherwise, everything he had seen in the Canadian press was unqualifiedly in Miss Rye's favour. He hoped and trusted that the Government would do all in their power to uphold and strengthen Miss Rye in the good work she had already performed, and which she still persisted in doing.

Miss Rye made the following statements in reply to questions by Mr. Trow, M.P. (Perth):—

People applied to her for children, sometimes for the purpose of adopting them, and sometimes as servants. She did not allow them to be adopted after they were nine years of age. They were adopted on the usual forms of adoption of this country. The form of indenture of service had been altered from papers used in orphanage institutions in different parts of Canada. With regard to those girls who were sent out as servants, they were bound up to the age of 18; up to 15 they were clothed and taught; from 15 to 17 they get three dollars a month; from 17 to 18 four dollars a month. The form of indenture was somewhat different from that used in Canadian orphanages. Boys were put out in a different way, viz.:—on a rising scale commencing at thirty dollars, and rising ten dollars every year till it rose to seventy or eighty dollars, but she had had very little to do with boys. Mr. Doyle had stated that she used three forms of indenture for the girls, but she had only two.

Mr. Jones, M.P. (Halifax), made the following statement:—

In Nova Scotia there was an ever-increasing desire to get the children brought out by Mrs. Birt. The results of the work which Miss Rye commenced and Mrs. Birt was carrying on in Halifax, had on the whole been satisfactory.

Hon. Malcolm Cameron, M.P., said he had read Mr. Doyle's report carefully, and he had come to the conclusion that it was a very harmless document, except the report of a conversation with a late Warden of Hastings, representing that gentleman as saying that the effect of importing these children was demoralizing to the children of Canada. Now the Hon. Mr. Flint had a letter which he (Mr. Cameron) desired should be put in, showing that this gentleman was still friendly to the scheme of Miss Macpherson. He (Mr. Cameron) himself had good opportunities of studying the question, having visited the Marchmont Home twice, and spending a day in visiting boys at various homes around Belleville, at Marmora, and around Ottawa, where Miss H. Williamson and Mr. Thom visited all the children up the river as far as Arnprior, and he was satisfied that the scheme was a profitable one for Canada, and a noble and benevolent one for England.

Mr. Norris, M.P., said he was acquainted with the persons to whom Miss Rye referred, and they were all respectable people. Men would do much for the cause of humanity. He also knew a good many of the children himself, and so far as he knew there had only been one case of cruelty, and the people of St. Catharines had taken that case up, and the persons who abused the child were punished. He believed the children were well cared for, though there might be some cases where they were not as well used as they should be. This was to be expected when they were placing so many children out among strangers, but the per-centage of the latter was small compared to the others.

Mr. Plumb, M.P., said he resided at Niagara and was intimately acquainted with Miss Rye's work. He had had a good deal of trouble about it at first, and he had thought that there being so many difficulties to overcome, its success was very uncertain.

But he had since been convinced that his first impressions were incorrect.

He was personally aware of the careful scrutiny which was made into the character and standing of the people to whom the children were given out. There were of course great differences of temperament and character among the children, and Miss Rye did not in every case succeed in finding good homes for them at first, and this was the cause of a great deal of trouble. With one or two exceptions, children who had been sent back had ultimately secured good places. He had attended Miss Rye's first gathering of the children at the Home, three years after the Home was opened, at which two or three hundred were present, and the improvement in their appearance and condition was very evident. He believed as far as Miss Rye's work was concerned there was no necessity for any further supervision or inspection than was at present exercised. The demand was greater than the supply.

Hundreds of applications had to be refused, and when a lot of children were brought out they were taken up very rapidly.

He knew that in many cases if there was the slightest doubt about the character of the people applying they were refused.

He was certain that those engaged in the work had not done so for pecuniary advantage but from far higher considerations.

Hon. Mr. Flint said that after Miss Macpherson's testimony had been given the other day, he had taken the liberty of writing to the gentleman in question, quoting at the same time that portion of Mr. Doyle's pamphlet relating to the matter. He submitted the following letter which was ordered to be placed in evidence:—

Hon. B. Flint,

Madoc, March 19, 1875.

SIR,—Since writing you yesterday I notice through the press that Mr. Doyle wishes to leave the impression that Miss Macpherson and her friends do not give sufficient attention to the selection of homes for the children under her care, and also that there was pecuniary advantages to themselves.

As to the last charge I have no doubt that Miss Macpherson can explain it satisfactorily, and as to the first I can bear testimony to the very great interest manifested by all persons connected with the "Home" at Belleville, and particularly Miss Bilborough, in securing good homes for the children, and the great amount of labour gone through for that purpose.

To my mind the fault is not in the efforts of Miss Macpherson and her co-workers, but in the unfortunate mistake made in taking children from the streets, who had already imbibed vices of the most dangerous character, and without sufficient training scattering these children with their vices broadcast over the country.

The wrong inflicted has been very great, though I am satisfied quite unintentional on the part of Miss Macpherson, as it was on my own part. Change the principle to educating them before turning them out on the world, and I feel one great difficulty will be removed; and in no safer hands could they be intrusted, in my opinion, than in Miss Macpherson's.

Yours, &c.,

(Signed) A. F. Wood.

Mr. Flint said he wished to state distinctly that the boys sent to Mr. Wood were not what he (Mr. Wood) called "gutter children," or children from the streets, but were taken from some of the poor-houses in England. He (Mr. Flint) had found more satisfaction from those children who were called "Arabs," than from those from the workhouses.

Mr. White, M.P., said he believed he could prove that these boys were doing better. The reason they had not at first succeeded so well was, as he had stated, because they were in a village where there were so many miners. He was confident they would yet make good men.

Mr. Flint said that during the time these boys were in the village there had been an influx of the very worst class—strangers seeking for gold, and so on, and he believed this fact had much to do with the demoralizing of the boys.

Mr. White said he believed that three-fourths of the boys resident in the village were fully as immoral as these boys were.

Dr. Orton, M.P., said so far as he knew a great deal of satisfaction was felt by those who had got children from Miss Rye's Home in Mount Forest. A large number were placed out in the County of Wellington, and he believed the people were satisfied.

Hon. Mr. Vail said the fault found by many people in Nova Scotia was that there was too much discrimination exercised as to who should obtain children. The regulations were so stringent that people paused before accepting the responsibility of taking these children.

The Chairman submitted the following statements and letters by Miss Rye, which she requested should be placed in evidence:—

The Russell House, Ottawa,
23rd March 1875.

I, Maria L. Rye, of our Western Home, Niagara, Canada, do declare that I have never at any time taken fifty children to London, Canada West, for distribution, but that in the autumn of 1873 I did take up twelve children to the said City of London; that I went up one week in advance of the children; that I was the guest of Captain and Mrs. Whitehead; that I received twenty-eight offers for these twelve children; that with the assistance of capable and intelligent persons I selected the twelve best homes for the said twelve children; that the said children came up to London under the care of my co-worker, Miss Allaway; and at the expense of the Home, and that in no way were we indebted to the town. Neither did any of the children enter into the Town Hall. Also, that the said children were all placed out in London under the indenture forms marked in Mr. Doyle's Report respectively G and H.

MARIA L. RYE.

I certify the above to be correct.

[L. S.]

BENJAMIN CRONYN,
Mayor, City of London.

I have much pleasure in testifying to the correctness in every particular of the foregoing declaration of Miss Rye.

J. WHITEHEAD, J.P.

(Letter from J. J. Robson, Esq., placed in evidence by Miss Rye.)

"Newcastle, 22nd March 1875.

MY DEAR MISS RYE,—Mr. Doyle has sent me his report, and a careful perusal confirms the opinion I formed from conversations I had with that gentleman when he was at my house last summer,

that is that he came out from England prejudiced against the charitable work in which you were wearing out your life in endeavouring to make a success.

I think it unfortunate the report of your and Miss Macpherson's work has been so mixed up, as under the circumstances it would have been much more satisfactory if it had been kept entirely separate.

Objections are made that the work the children are put at, is of a character they have not been accustomed to, and recommends for girls, particularly, that they should spend a year or two in some suitable Canadian farmer's home before being placed out.

I am really at a loss to understand how this idea is to be carried out, unless the means are provided by the Home Government to pay for their board and clothing, as I am well aware no places could be found where people would take them and drill them into usefulness, and then have them taken away without any remuneration.

As for the remark that children can be kept as cheap as chickens, it is simply absurd, as any practical person will understand when they know that the usual rate of board and lodging in country places in Canada, is ten shillings sterling per week.

The report also states that the children are insufficiently paid. After a careful consideration of the subject, I have arrived at the conclusion that the terms you require, viz.: board and clothing until fifteen years of age; \$3 per month from fifteen to seventeen; and \$4 from seventeen to eighteen, is quite as much as the girls can earn. Mrs. Robson says: Taking into account the troubles and annoyances connected with teaching them everything required to be known in house-keeping, setting aside all sympathy for the poor little creatures, it is more.

I see Mr. Doyle is horrified to find that an instance has occurred of a girl having actually had to work out in the fields. Had he mentioned the circumstance to me, I could, during our two days drive through my section, have pointed out to him the houses of twenty independent farmers whose daughters, during the busy time of harvest, &c., have done the same, and are certainly not looked down upon in consequence; in fact, I think if a little more work were engrafted into the workhouse system (the property so called) of England, the girls when sent out into service, or to this or other countries, would give more general satisfaction, and probably a smaller per-centage would turn out badly.

Great objection is made to the union children being mixed up with Arabs (gutter children), or whatever name they are known by, Mr. Doyle evidently thinking there is fear of the former being injured thereby. Now, my experience so far (and I have taken note of the matter), is, that the latter, as a rule, give greater satisfaction than the former; are less liable to be sulky; have more self-reliance; are less idle, and are, I think, quite equal in every way except in education.

I have lately had one of Mr. Doyle's pet workhouse girls (M.—G.—) returned from the second first-class home she has had in this vicinity. Cause—Impossibility of keeping her in the house in the evening, going out without leave, and staying out all night, and dishonesty.

After a thorough explanation of the ultimate results of such conduct both by Mrs. Robson and myself, I have again placed her, and as I am holding the threat of the Reformatory over her, think she may now do better.

I remain, dear Miss Rye,
Very sincerely yours,
JOHN J. ROBSON.

(Letter from the Lord Bishop of Toronto, placed in evidence by Miss Rye.)

Toronto, March 29th, 1875.

MY DEAR MISS RYE,—I am sincerely grieved for the trouble you are experiencing as indicated in your letter of the 25th, from Ottawa.

I have all along considered your work a boon to Canada; and although disappointments are inevitable, the general success of your enterprise has surprised and satisfied us all.

I have on more than one occasion been present at happy gatherings of your young people; but on no more gratifying one than on the 22nd September last, when, as I understand, nearly 300 were present with those whom we may call their foster parents.

I have met several of your girls at friends' houses in the country, and with very few exceptions, received a good account of them. From all I heard they were in great demand; and any check to your benevolent enterprise, through calumny or misapprehension, would be a wide-felt disappointment.

Believe me, dear Miss Rye,
Very sincerely yours,
(Signed) A. H. TORONTO.

(Letter from J. A. Donaldson, Esq., placed in evidence by Miss Rye.)

Toronto, 29th March 1875.

DEAR MADAM,—Seeing your scheme of immigration is at present undergoing investigation, I beg leave to offer a few remarks. I feel it due to yourself and Miss Macpherson, having had the opportunity of observing your operations since you first commenced bringing parties to Canada.

From my personal observations I can only state that I have often wondered at the great interest taken by both you ladies in what I call a great good work in Canada.

I have often heard expressed the admiration of those seeking the children, how well they were trained when called on by you to sing their hymns, and repeat verses that would compare favourably with any of our Sunday School children.

How very scrupulous you always were in your inquiries about parties applying for those children, that I have on more than one occasion felt inclined to remonstrate with you when you have even refused worthy people to have those children, when you did not feel fully satisfied the children would be well cared for; the same applies also to Miss Macpherson.

I have no hesitation in saying with but few exceptions, these children, both boys and girls, are invariably well treated by the parties that get them, and that in the care of the female portion, I have always considered you were filling a gap, and supplying a want much felt by the community at large, as they will take the place of domestic servants in a few years.

In truth it is to the interest of parties securing the services of these children to treat them well, and with but few exceptions, I have seldom heard complaints.

Had Mr. Doyle called on the lady of the Honourable Isaac Buchanan of Hamilton, or had he had the good fortune to have seen the late Mrs. McMaster before her death, and heard the testimony of those ladies who were so conversant with your operations, he would perhaps have taken a different view in many respects to what he has done.

Believe me, dear Madam,

Yours very faithfully,

(Signed) JOHN A. DONALDSON,

Dominion Immigration Agent.

Miss Maria S. Rye, Ottawa.

(Letter from the Bishop elect of Niagara, placed in evidence by Miss Rye.)

The Rectory, St. George's Church,

Toronto, 27th March 1875.

MY DEAR MISS RYE,—I have been much grieved and astonished to perceive from the public prints how the good works that you and Miss Macpherson have been doing, not only for the poor children of England, but also for the poor housewives of our country, has been "evil spoken of" by Mr. Doyle. I have had some opportunities of seeing your work in this Province, and all I have seen has convinced me that your work was not only a charitable, but also a judicious one. I have seen several of the children who seem to be happy and well-cared for in the homes where you have placed them, and the per-centage of those who leave their homes are so small, that it proves that your work is well and judiciously done. I think it is a great pity that such officials as Mr. Doyle should be sent out to inspect your charitable work; a gentleman who probably has never been accustomed to inspect any but the charities of an old and rich country like England. He should not expect to find here all the contrivances and appliances which he finds there. Such a man reminds me of an architect from England, whom I have met with in this country. Everything in his line was wrong here when he first came out; but after being here a year or two he learned that he had misjudged what he had seen, and that the works of our architects were better suited for the state of things that exists amongst us than he had imagined.

Trusting that you will be sustained in your great and most useful works.

I am, my dear Miss Rye,

Yours very faithfully,

(Signed) T. B. FULLER, D.D., D.C.L.,

Rector of St. George Church, Toronto, Archdeacon of Niagara,
and Bishop elect of the new Diocese of Niagara.

(Letter from the Rector of Grimsby, Ont., and Rural Dean, put in evidence by Miss Rye.)

The Rectory, Grimsby, Ont.,

30th March 1875.

MY DEAR MISS RYE,—I hear you are at Ottawa endeavoring to defend your arduous and charitable work against the very unfair report given of it by the English Commissioner. As I took the first girl from your "Home," at Niagara, on the day of its inauguration, and have, as you are aware, seen a good deal of the working of the institution, as well as the custody of many of the girls, you will, I know, allow me to say a few words on the subject, which you can make any use of you think fit. The idea expressed by Mr. Doyle—that the children are no better off than they would be in an English workhouse—is evidently founded on want of information. I was much disappointed at not meeting that gentleman, as expected, at the meeting of your young friends, at the "Home," on the 22nd Sept. last. The appearance of between 200 and 300 happy, healthy, well-dressed girls, bringing with them every token and evidence of home care and comfort must, in itself, have gone a long way to dispel the impression, and a personal inspection of their "Homes" would have entirely removed it. Not having been in England of late, I cannot speak of the condition of the workhouses; but supposing them to be well conducted, and everything that could be expected from such public refuges of the poor, it is quite impossible that any such institutions could provide advantages (and that for the whole period of youth) which the girls enjoy in the very great majority of the families with whom they are placed in Canada.

The farmers of this country are a prosperous and intelligent class; the girls placed with them are kindly treated, and enjoy all the comfort incident to the family circumstances. I mention the farmers because I believe a large number of girls are taken by them, but many distributed in the towns and villages are equally well provided for.

There are ten or twelve girls in this parish, all of whom I know are well treated, well provided for, and generally receiving moral and religious training, and I can bear the same testimony concerning many others in the Niagara district.

Of course they will not all be equally fortunate, nor are they equally deserving. None of them are angels; all of them have human passions to be corrected, and often will give a good deal of trouble to those who undertook the task; yet, I must say, as far as my knowledge goes, as well as from the opinions of many competent to judge, this task is, on the whole, very faithfully and patiently performed. Indeed, the great change and improvement in their condition originates one of the greatest difficulties in their management. For when much is received, human nature too readily fancies there must be some notice of personal merit, and does not often show the gratitude or acknowledgment it ought, either to a kind Providence or kind friends. There may be some cases where better treatment might have

been desired, though I am not aware of them, and truly believe them to be very few. Such cases are sure to be published when they occur. Investigation will generally show that instead of being winked at, the hardship is usually exaggerated.

As regards one girl, I shall only say that her time expired last Christmas. The caged bird often sighs for liberty and yet returns to the cage or refuge. She is still with us, by her own wish. When she leaves we shall see she has a proper home. I believe her faults have been well corrected, her principles improved, and she affords as much hope of a virtuous life as most girls in her state of life.

Wishing you every success in your great work of charity and patience under all trials,

Believe me, very sincerely yours,

F. BOLTON READ,

Rector and Rural Dean.

If the Government would appoint some Inspector to visit every "Home," they would soon be satisfied.

(Letter from Dr. Morton, of Bradford, put in evidence by Miss Rye.)

Bradford, Ontario, March 31, 1875.

DEAR MISS RYE,—Taking such an interest in your good work, I again write to you to say that all your little girls located in this neighbourhood are very well, happy and comfortable, and give unusual satisfaction; they are in every instance treated as members of the family; and so soon as you have any others I hope you will let me know, as I can get good places for six or eight more; you may feel assured I would recommend no person to you whom I could not rely upon as treating them kindly and affectionately. I enclose you three photographs of them which I now happen to have, and if you should like some likenesses of the others I dare say I can get them for you, and with best wishes, believe me to be

Yours faithfully,

(Signed) GEO. D. MORTON, M.D.

(Letter from the Rev. Dr. McMurray, Rector of Niagara, placed in evidence at his request.)

SIR,—I hope you will pardon the liberty I have now taken in addressing you upon a subject of very deep importance. I allude to the work in which Miss Rye has been engaged for several years past in bringing to this country workhouse and pauper children from England.

You are doubtless aware that "our Western Home," an institution which Miss Rye has provided for the reception of these children, is situated in my parish, which has given me an opportunity of becoming acquainted with her work, and, therefore, I feel it my duty to state to you, in as few words as possible, the great success which has attended her praiseworthy and self-denying efforts.

I am now and have been a constant visitor at the "Home," and have had every opportunity of seeing how it is conducted, of judging how the children are cared for, and also of the great pains taken to place them out to the best advantage to their future welfare.

I have therefore very great pleasure in being able to state to you that the institution is conducted with marked ability and in the most unexceptionable manner; that all the care that human foresight can bestow is taken; that the children are kindly treated and are comfortable and happy while at the "Home;" that the utmost solicitude is manifested on the part of Miss Rye, and those whom she has associated with herself as guardians, to place the children in families where they will be kindly treated and brought up in a useful and respectable manner, and her efforts, I am happy to say, have been crowned with success.

Having lately had placed in my hands the report of Mr. Doyle, sent out to this country to inspect Miss Rye's work, as well as that of Miss Macpherson, and having read it carefully, I felt myself constrained in justice to that lady to write at once to the Right Hon. G. Selater Booth, President of the Poor Law Board, upon the subject, and to express my dissent from many of the statements therein contained with regard to the work of these excellent ladies, but more especially with reference to Miss Rye's. I do not think I can do better than give you here an extract from the letter I addressed to the President of the Poor Law Board:—

"Having had placed in my hands to-day (February 23rd, 1875,) the report of Mr. Doyle, lately sent to this country to examine into the condition of the pauper and workhouse children, brought out by Miss Rye, I must express my astonishment that any such report should have been made by Mr. Doyle, as expressive of the state of the work in Canada. I speak more particularly of Miss Rye's work, as I am not so conversant with Miss Macpherson's, her sphere of action being in another part of the Province. Miss Rye having established her Home for the children she brings out, in my parish, I naturally took an interest in her praiseworthy work, and from its commencement have had more or less to do with it, and moreover, I have acted gratuitously as Chaplain to the "Home" whenever my services have been required, and always rendering my assistance on those days especially when the children are given out.

"I have no hesitation in saying that Mr. Doyle has put a most unfavourable construction on Miss Rye's work, by singling out a certain number of cases where the children have not turned out well, which, I am happy to say, considering their antecedents, and the large number placed out, is wonderfully small; but he has more scrupulously avoided taking the other side of the picture, and showing in all honesty, as he should have done, how large a proportion he found in comfortable situations, and doing well. I may safely say, and I am sure I will be borne out by all right minded people here, whose opinions are worthy of respect, that Miss Rye's work, as a whole in Canada, has been eminently successful, and a blessing to the children she has brought out. That there would be some bad cases, was assuredly to be expected, but these should not have condemned the whole work, for we find such in the best brought-up and educated families,

"I feel satisfied that three per cent. of the children Miss Rye has brought to this country would cover the cases to which Mr. Doyle so pointedly refers. I may further remark, that it would have been far better, and fairer to both Miss Rye and Miss Macpherson, if Mr. Doyle had reported separately upon their work, for that which applies to one can by no means be construed as applying to the other.

"But it is not my intention to notice at full length the glaring inaccuracies which his report contains, nor is it my object to contradict his statements myself, but to ask you in all fairness to *hear the other side*, before action is finally taken upon it, for a more ill-informed representation of Miss Rye's work here could not, in my humble opinion, have been made by any one who professed to have examined its merits.

"I must apologize for thus troubling you, which I should not have done but in the cause of justice to one, who has devoted her whole life to the amelioration of the condition of the pauper and workhouse children of England."

I shall feel greatly obliged to you to place this before your Emigration Committee, which I understand is now investigating this subject.

I have the honour to be, Sir,

Your obedient servant,

(Signed)

WILLIAM McMURRAY, D.D., D.C.L.,

John Lowe, Esq.,

Rector of Niagara, Rural Dean, &c.

Secretary of the Department of Agriculture, Ottawa.

We, the undersigned inhabitants of Niagara, having read the above, fully concur in and endorse the same.

(Signed)

FREDERICK MARSON, M.R.C.S.L.,

WM. KIRBY, J.P., Collector of Customs,

HENRY PAFFORD, J.P.,

ROBT. N. BALL, J.P.,

JOHN W. BALL, Church Warden.

(Notes by Miss Rye on Mr. Doyle's Report, put in evidence at her request.)

Page 1.—Emigration of *pauper* children to Canada.

If so; why mix up accounts of the Arab children with the investigation?

Page 4.—Says addresses given were incorrect.

By whom—by Miss Rye or Miss Macpherson? As far as I am concerned the postal addresses were given; and I find letters reach the children safely.

Page 4.—No one in Niagara knows the workhouse girl *reported* by Miss Rye as on the streets.

I did not *report* this girl as lost; I said I was *afraid* such was the case; and curiously enough, she came to see me at Niagara, all right a month after Mr. Doyle's visit.

Page 5.—Gutter children—such is the class of which Miss Rye's work is largely composed.

This is not so, the proportion is not 200 in 1,370 souls.

Page 6.—Several thousand pounds a year contributed by private individuals in England for the work.

I have only one Home in London, and that is at Peckham. This was not commenced till 1873; and the accounts are yearly audited by E. Antrobus, Esq., one of our oldest metropolitan magistrates; and the Home at Peckham had its rise in a gift of 500*l.*, made to myself by a personal friend.

Page 6.—Although in 1868-9 the guardians of *two* or *three* unions, &c.

In 1869, the Kirkdale Union at Liverpool, gave me the first party of children ever brought to Canada; and it was not till 1873 that I brought any street children.

Page 6.—The girls shall be looked after until they are 18 years of age.

My promise to the guardians was, that they should be apprenticed until they were eighteen years of age. The words referred to were inadvertently printed on the papers for the street children, and were used to explain in a short sentence, the spirit of the indenture which makes other persons and not myself the custodians of the children.

Page 6.—Children sent out from reformatories.

I have only brought out three such children, and they came out in 1869; two out of three are doing remarkably well; one is lost sight of.

Page 7.—In cases where parents are living, their consent to emigration of the children is *said* to be obtained.

As far as I am concerned it is always so obtained, and I have too much knowledge of, and respect for the law to do otherwise; moreover I not only get the consent of the surviving parent of a child, but also require two witnesses to the transaction.

Page 7.—A girl of seventeen, who came against her will, &c.

If one of my girls, I do not know who, and certainly she was old enough to have expressed an independent opinion on such a matter.

Page 8.—St. George's Home, Montreal,—bad.

I have stopped there several times for 6 to 12 hours with the children, and have always met with the greatest possible attention and kindness.

Page 8.—Miss Rye stops *sometimes* at Toronto while *en-route* for Niagara.

Always.

Page 8.—Miss Rye has no distributing homes at New Brunswick and Nova Scotia.

Miss Rye has been allowed by the kindness of the lady managers of the orphanages at St. John and Halifax, to have the use of the Homes in both cities, and the very valuable co-operation and kind assistance of the ladies in placing out the children.

Page 11.—The precautions taken by Miss Rye to obtain information respecting applicants for children *appears* to be on paper minute and careful.

My plan of getting at information relating to the character, &c. of persons applying for children differs from that pursued both by Miss Macpherson and Mr. Stephenson of the Bonner Road Schools,

London, and Hamilton distribution homes, where persons applying for children *bring* or *send*, together with their letter of application, the necessary certificates of character. When persons apply to me for a child I send them the schedule marked E. in this report, and when that is filled up I *write myself* to the two referees and ask for *confidential* information.

Page 11.—A large number of Miss Rye's female children are placed out under the indenture of adoption.

That is from 10 to 15 per cent. as stated elsewhere.

Page 11.—A third form of indenture used by Miss Rye.

I have only two forms of indentures for girls, viz.: That for adoption used for children up to 9 or 10 years of age, and the indenture of service used for girls from 10 to 18 years of age. The indenture lettered I. refers to boys, of whom I have brought out comparatively few.

Mr. Doyle thinks these indenture papers are not worth much in Canada. I would respectfully ask him how much they are worth in England?

Page 13.—Some of the people who take the children only *recent* settlers.

The majority of persons who have taken my children are persons who have lived on their own property 20, 30, or 40 years, and I have not on all my books six families who have lived under three years in the same neighbourhood.

Page 13.—Canadian farmer, bound to make the most of his season, works from day-light to dark.

True; but what of the long leisure of winter, and the winter's schooling for the children?

Page 14.—Situations in which children are placed in towns and villages are of a very inferior character.

Granted, inferior children cannot be placed out in first-class homes, and Mr. Doyle ignores the fact that in six years 760 places have had to be found for 290 unruly and disobedient returned children.

Page 14.—The *semi-criminals* of our large cities.

I have brought none.

Page 14.—Most unfair to the children of Poor Law Unions that they should be associated with children of this class.

The arab child as a rule is more intelligent, more easily ruled and immeasurably more affectionate and grateful than the workhouse child; the latter has but one advantage over the street child, viz., education, *i.e.*, a knowledge of reading and writing. The obstinacy and deceit of the workhouse child is most frightful and disheartening, to quote the words of a most intelligent Canadian farmer, who knows nothing of our English Union Schools, except by observation of the children. "It seems to me that the children in Union Schools have never done anything before they came to Canada, except what they have been made to do, and that their contempt for authority arises from the fact that, while they in their daily life are in daily contact with a certain set of authorities, yet the children are fully aware that this authority is only a delegated power, and that there is a court of appeal for the children, to whose decision their teachers have constantly, at the *ipse dixit* of a child, to bow."

Page 15.—Many persons who at first looked well at the plan have since changed their minds.

As far as this is concerned this is not incorrect. My work was first questioned, then smiled at, and now highly approved.

Page 15.—The children should be trained in these homes, &c.

Where we find children especially ignorant of household work we do so, and I have spent many four and five hours at a stretch standing over girls scrubbing, washing, and cooking.

Compare this with Page 16.—For girls this training should be if possible in the families of Canadian householders.

Page 16.—Miss Rye's ship matron appears kind and intelligent.

This matron has worked for me 12 years, and before she worked for me was in the employ of the Government Emigration, 81, Park street, Westminster.

Page 16.—Matron, one person.

We have always from six to ten adult women in our party who assist the matron, and either two or three stewards, belonging to the ship's company, whom I fee, and who are down amongst the children to help the matron.

Page 17.—Children's heads in a very filthy condition.

This is too true, and as we get the children chiefly from the workhouses, this cannot be very much wondered at. I had forty little girls out from Peckham last October, and their heads when they landed were as clean as mine to-day.

Page 17.—I cannot say they have been successful in creating a feeling of confidence in the Homes.

On the 22nd September 1874, when Mr. Doyle was in Canada, I invited about 500 persons to meet him, and a three weeks notice was given of the gathering. Had Mr. Doyle been at the Home on that day he would have seen some 300 happy, bright children, and been in a better position to have given an opinion on this subject. Children who have been naughty and disobedient and threatened with punishment finding themselves *en route* for the Home, and Miss Rye, who is to their little minds, the very embodiment of punishment, are not very likely to have much pleasure in looking forward to a return visit to the Home; neither should they.

Page 20.—Miss Rye trusts to the accident of being able to find persons in different districts who will relieve her of the responsibility of finding homes.

This is absolutely incorrect. I have already given the names of persons who are kindly working with me, who, for the work sake, have quietly worked with and for me these five years, and are now valued and personal friends.

Page 20.—Child removed, because man drank, *next day*; rough men and learning to swear; master drank.

No such entries in any of my books.

Page 20.—I cannot help thinking that in a country in which wages are so high, &c. more favourable terms.

My experience of six years leads me to believe that the terms I ask for the children are, on the whole, satisfactory and fair to both employer and employed.

Page 21.—Union children branded, &c., &c.

Divine love and compassion for these poor children having moved our hearts to better their condition, we are not likely to go running about the country speaking against our own little ones.

Page 25.—Miss Rye not able to give the address of the girl at Newcastle.

For the very reason that when Mr. Doyle visited us the girl was being removed.

Page 26.—Children at Drummondville and St. Catherines not visited, though within easy distances of the Home.

The very reason why they were not visited, because children living so near can and do come and see me, and I confine my visiting to the far off places such as Mount Forest, London or Chatham.

Page 29.—Boy in a small room without proper ventilation.

Would venture to suggest that the ventilation of the railway arches is no doubt much more complete.

Page 29.—Whereas, ninety per cent. of the children sent out to Canada are Church of England, etc.

Referring in conversation to this matter to me, Mr. Doyle made the remark while in Canada, that if this one fact alone were known in England it would ruin the work. As a matter of fact the statement is correct—not more than ten per cent. of the children do go into families worshipping at Church of England—while they are under my care we all attend the services of the Church of England. I have had some eight or ten baptised into that church, and about the same number confirmed. It seems to me, judging by the state of religious ignorance in which I find the children when they first come to me, while they have been nominally members of the Church of England, that a very large number of them have been trained in the Church of Indifferentism, and that by placing them as I do with Presbyterians, Wesleyan Methodists and Baptists, who form the bulk of the worshipping people of this great nation of Canada, that I am at any rate giving them a chance of becoming incorporated into that body of Christ—which is the church—and which knows neither Episcopalian, Presbyterian, Baptist or Methodist—we want but pure God-fearing men and women, not merely members of certain churches.

Page 31.—A land of promise for the boys.

And if so, why not for the girls?

Page 32.—Several of the children lost sight of.

See page 27.—Not so very large a number taken from 1,300 children, and extending over six years work.

Page 33.—Charges publicly made; Canadian press; Miss Rye and Miss Macpherson's pecuniary interest.

I have never seen any such charge made at any time against Miss Macpherson and only once against myself, and that was traced to a discharged matron of my own.

Page 33.—Drawback of six dollars on each immigrant.

Incorrect; six dollars on each adult, and sometimes it takes three children to make an adult.

Page 33.—Miss Rye obtained from the Department at Ottawa passage warrants.

I have never at any time had any communication on the subject with Ottawa, and what I have paid has been to my shippers direct.

Page 35.—Girls ought not to be sent out at a later age than seven to nine.

If so, Mr. Doyle had better himself take charge of the work, as no one in their senses would undertake such a scheme.

MARIA S. RYE,

The Russell House, Ottawa.

9th March 1875.

Honble. Mr. Justice Dunkin, P.C., appeared before the Committee:—

Q. Have you any, and what knowledge of the work carried on by Miss Macpherson or Miss Rye?

A. I cannot say I have personal knowledge of Miss Rye's work, or am in a position to speak of it otherwise than at second hand or by hear-say. Of Miss Macpherson's I have seen and know much.

My attention was first called to it early in 1870, not long after I became Minister of Agriculture, by letters (official and private) from the late Mr. Dixon, then London Agent of my Department, a most faithful and reliable public servant, in which, from his London point of view, he wrote of it in terms of the highest eulogy. No special favour being sought for it, I had no occasion to inquire as to it here, officially. But I satisfied myself beyond doubt by unofficial inquiry, that at and around Belleville, then its one Canadian centre, it was to the full as deserving of sympathy and encouragement as it possibly could be in England.

I first met Miss Macpherson here in the fall of 1871, and had no hesitation, from what I had then learnt, in at once urging on her the establishment of a second Home in my own section of country, the Eastern Townships. It was thus, in a great part, at my instance that the Knowlton Home was founded. And that at Galt, also, was founded about the same time, making up the number of her three Canadian Homes, since and now in operation.

Leaving political office to become a Judge of the Superior Court, I have been resident close to the Knowlton Home ever since it was opened. Miss Barber, who took and still has charge of it, is my sister. My wife and our other sisters are, as a matter of course, in constant communication with her; and almost everything of interest as it occurs there is known to me. Miss Macpherson has, of course, been there and on visits at my own house repeatedly; and almost all her co-workers who have since been in Canada have also been there, and so become personally well known to me. I can safely say that her work, now especially in reference to Knowlton and its Quebec Territory, has engaged from the first all the attention I could possibly give it; and I have only become more and more convinced, with fuller knowledge, of its exceeding public value. It has brought out a great number of well-selected young people of all ages, from early childhood upwards, an overwhelming majority of whom are certainly known to be doing well,—many wonderfully well; and an extremely small proportion only of whom

are known, or may be fairly surmised to have not done well. They are brought out and treated at the Homes with the utmost care and kindness, are placed out with great precaution, and looked after, where placed, as closely as our wide distances and the limited number of the workers allow; are received back with like kindness on return from place, and again placed out with like precaution; are cared for if (as, of course, sometimes happens) they return sick; in a word, are regarded and treated, in the Homes and out of them, as children should be by parents. I have not always felt sure but that the indulgence might be rather in excess, as perhaps tending to make the Homes too attractive in comparison with out places. But of the thoroughly parental character of the care taken of them there can be no possibility of doubt; nor can there be any of its generally successful result. As I have seen it,—and I repeat I have so seen it as to be able to speak confidently,—it is a religious charity, carried out with as strict and thorough adherence to religious and charitable principles as I can well think possible.

Q. Have you seen Mr. Doyle's late Report to the President of the Local Government Board at home; and if so, what have you to say to it?

A. I have only had time to examine Mr. Doyle's Report rather hastily. But I see that it is full of misapprehension and mistake,—to use the mildest terms possible; the work of a reporter prepared to see, hear, argue and suspect whatever squared with the prepossessions natural to English poor-law officialism, and whose flying stay here and there in Canada has wholly failed to correct those prepossessions or give him any distinctive view of what can or cannot be done, for good or ill, in a country so unlike England (in respect alike of poverty and of wealth) as Canada is. With children and young people seriously in demand, labour scarce, wages high, capital only growing towards the measure of our needs, and not yet in the least danger of accumulation in too few hands,—in a word, with the hard and fast dividing line of rich and poor (as drawn in England) unknown—covert cruelty to, or ill treatment of children or young people, to any extent, merely cannot be. Miss Macpherson's workers do their best to select good homes; and, as a matter of well-known fact, they very generally can and do choose well. If, as must happen, now and then they make mistakes, Canadian social habits are such as to make it morally certain that some neighbour or other, if not the whole neighbourhood, will protect any child from wrong. Besides their visitings, the ladies and gentlemen working at, and otherwise in connection with the Homes, maintain a constant correspondence by letter with and about the children. It is everywhere notorious that they are earnestly cared for at the Homes; and it is impossible that any crying harm can go on for more than a very short time before getting to be known there, and, of course (when known) attended to, that it may be remedied. Of course, the visits and correspondence are all of the most friendly character possible. Nothing else would do. Canada has no poor-laws,—no defined classes of rich and poor for such laws to deal with. And much as our people want labour and prize children as they grow up, they would never stand any system of official interference with the freedom of their family affairs. Not to say that it would be a death-blow to the work, in respect of its essential character, were serious attempt made to engraft on it this feature. What we have to do is to absorb these young folks into the mass of our community as fast as we can, to take from them all distinctive mark, to make them as thoroughly Canadian as though they had been born here. To have a body of officials constantly on their track, with all the machinery of investigation, report, and what not, that might be good for England, would be to create and maintain here the very line of distinction we must not have,—a line of class mischievous in every aspect, and from the Canadian point of view, purely intolerable.

I should like to see the Government here, whether Dominion or Provincial, giving to this work, and to all like it, the benefit of their attention, and of a judicious oversight—to say nothing of more active encouragement, such as it merits and might well receive. But that oversight to do good might be kept within reasonable bounds. An earnest work of charity properly so called, and above all such a work having necessary connection with religious motive cannot here be carried out under state direction, nor even under a system of direct interference by the state; those who undertake it must have all needed freedom; or it must wholly lose its character, and sink into a mere routine of governmental administration, worthless or next to worthless for its main and highest ends.

Q. Are there any points of detail in the report on which you would state your views to the Committee?

A. It would take far too much of the Committee's time, and make my answer far too long, were I at all to follow the report into detail. A very large proportion indeed of all that it suggests,—adversely to Miss Macpherson's work, at least, it answers of itself. The rest of its implied charges against that work I am well assured admit of, and will have in due time, abundant answer.

There are only a very few matters connected more particularly with the Knowlton Home on which I should care at present to remark.

The "fixed wooden guard beds one placed above the other," which are called (p. 8) "very objectionable," are (as was explained to Mr. Doyle), a mere temporary expedient for the dormitories; occasioned partly by difficulty of getting, in the hurry of the first fitting of them up, a supply of suitable bedsteads, and partly by some shortness of funds. They are not yet removed; but will be as soon as possible. Meantime, the upper tier (as also was explained to Mr. Doyle) is unoccupied, unless for quite short periods on arrival of a new party. And the bed frames and bedding are kept scrupulously clean, as indeed is everything about the Home.

The caricature sketch given (p. 9) by Mr. Doyle of the attic available for sick-rooms is unfair,—though perhaps not meant to be so. They are neither so wide nor so high as (with ampler means at command), they would have been. But the ceiling of each is partly flat and the slope of the ceiled roof strikes a plastered wall and not the floor. Their height and width too, and the pitch of the roof, are not at all what the sketch suggests. And they have been improved since Mr. Doyle saw them, by the putting in of a good-sized gable window, besides that at the far end into each. They are now very fair rooms for the purpose they are to serve, a purpose of only exceptional use.

The building has been further much more improved, by the raising of parts of the main roof and the completion of the main attic story, in which there are now three new and very good rooms, besides valuable store-room space. It is a good building, remarkably well placed, and fairly adequate to all its purposes; though of course abundantly improvable as further means shall be forthcoming. With

the five or six acres of land on which it stands, and its accessories of furniture, &c. (everything bought low), it has cost about \$8,000. And as yet, it is a mere result of private liberality; no public money having aided as to it, at all.

Mr. Doyle is wrong again in saying (p. 8) that "beyond the provision of separate sleeping rooms" for boys and girls, "there is no attempt at classification." He was there at a time when the arrangements of the new building were rather in progress than yet made; and he was not there long enough really to appreciate their details. The boys and girls have separate grounds, and are otherwise divided. And the classifications generally, though no doubt improvable, and indeed in course of constant improvement, are on the whole better than if they were more like those of an English workhouse. The arrangements are all made as nearly as may be to follow the model of family life. And no one yet that I know, who has ever seen them close, has regarded them as otherwise than quite good,—well suited to attain their end.

As for making the Home a training school for "two or three years" for all comers over the age of 12 (p. 10), I can only call the idea preposterous. Mr. Doyle sets it aside himself, in the very next sentence after that in which he suggests it. "For girls," he goes on, "that training should be, if possible, in the families of Canadian householders." Certainly, and so also, to answer its real end, it must be for boys too. A model workhouse life here for two or three years, would only unfit for all life here thereafter. •

The estimate of 200% for the yearly expenses of each of Miss Macpherson's Homes, which Mr. Doyle gives (p. 34) in connection with some other wild financings, is hardly less preposterous. The oversight of the Knowlton Home, by my sister and her associates in the work, may fairly enough be set down as costing nothing. And though Mr. Doyle makes a slight mistake in saying (p. 9) that "there are for the indoor domestic work no paid servants or domestics," the very small part of this that is paid for costs very little indeed. But the outlay of the Knowlton Home for 1874, scarcely fell short of \$5,000, or say 1,000% sterling. Of this \$3,000, or 600% sterling (three times Mr. Doyle's guess), were for current expenses of the year.

The remark of the "intelligent shrewd girl of between 16 and 17," that "doption, sir, is when folks gets a girl to work without wages" (p. 12), is equally wide of the mark. At least from the Knowlton Home, and I am sure enough, indeed, from Miss Macpherson's other Homes—adoption is not known excepting for mere children. It could not be, and I repeat it is not.

Mr. Doyle fancies (p. 16) that the conditions of service are made too much "in favour of the employer, that in consideration of getting cheap labour he may be willing to put up with serious faults of character and conduct." In real truth, there has rather been at Knowlton (and I daresay at the other Homes too) an excess than a want of urgency in the matter of stipulated wages. Girls and boys, new to the country, and unknown altogether to the parties taking them, cannot at first command the pay that they are sure to get after some little time. Few of them know or can do the sort of things that every one here of their age knows and does of course, until after some time spent in the doing of such things in private employment here. For a short time, it is better to get them into a really good place, on almost any terms of payment, than to keep them too long on hand in the less practically advantageous position involved in a long stay at the Home, or in a second-rate place where perhaps an employer may consent to offer more.

Q. Have you observed the statement on page 17, as to the "filthy condition" in which children are said to have been placed out from the Knowlton Home?

A. Yes; Mr. Doyle mentioned there, that he had so heard, and was at once told the facts. The Report implies a state of things which does not exist. "The explanation," it says, "of children being allowed to leave in such a state was, that people were so impatient to get them that, though cautioned as to their condition, they would insist upon taking them." For the first arrival or two this was so, to some extent. Persons coming (often) from a distance, and not willing to come again or risk loss of a particular child, were reluctantly allowed to have their own way. But the fact that in some cases—not many—complaint was made, soon put a stop to this. The assumption of the Report (p. 17), that "the personal cleanliness of the children is very much neglected during the voyage,"—and that "greater attention during the voyage might to some extent at least, obviate this cause of complaint,"—must pass for what it is worth. It rests on Mr. Doyle's statement, that a certain party of 150 sent out by Miss Rye, and whose starting he witnessed, "was under the charge of a matron who appeared to be a kind, intelligent woman," but whose duties, children, who came out under her care, told "me did not involve the sort of service of which children, under such circumstances, stand most in need." Of that case, I know nothing. But I know Miss Macpherson's parties come out with much stronger attended force. Indeed, besides steerage attendance proper, some worker or workers (of either sex, or both)—coming in the cabin and spending great part of their time in the steerage, never fail to accompany them. And at least in one case that came incidentally under my notice, a lady, whose natural place would have been in the cabin made herself a steerage passenger with the children. They are, emphatically, *not* by any means neglected on their passage. Nor on their arrival is their state as to cleanliness in any sense exceptional or discreditable. Latterly, indeed, unlike the mass of arriving emigrants, they have been allowed to travel in first-class cars on the railway from Quebec, the lady and gentlemen workers with them; as indeed, they always were in the olden time, when the cars were the rougher and less clean cars of the ordinary steerage passengers.

Q. On page 20, Miss Macpherson is described as "anxious to get the children off immediately upon their arrival." Is this so?

A. Certainly not at Knowlton. On occasion of the first few arrivals, people to a considerable extent overbore Miss Barber's unwillingness to let the children go off at once. All is done that reasonably can be done, to keep them in the Home for a sufficient time before they are placed out. And I have no idea that the Knowlton rule differs in this from the rule at Belleville and Galt.

Q. On page 6, "the children are said to comprise not only 'arab' and 'pauper' children, but also children from Reformatories;" and on page 14, it is said, "Of the children sent out, a large portion, as I have observed, are described as being of the very lowest class—the semi-criminals of our large cities and towns." Is this so?

A. I never heard of a single child from a Reformatory, or of the semi-criminal class, having been sent out. If any had been, I am sure I must have become aware of it. I do not hesitate to say that the fact is not so.

As I have already said, much care is taken to select well. And the mistakes made (unavoidably, one may say) are remarkably few.

Q. What has been the proportion of cases that should be called *failures*, at the Knowlton Home?

A. I cannot give exact figures, not having thought of asking for them. But I know the proportion to be incredibly small. I doubt whether it exceeds (or even reaches) two per cent. And, as I have already said, the proportion of unmistakeably successful cases, is on the other hand extremely great. Success is the rule. Want of success the exception.

Q. What deaths have there been from among the Knowlton Home arrivals?

A. One in three years, and out of some 280 arrivals. If there has been any other, it must have occurred very lately, and at a distance,—not to have been heard of.

That case was the case of an extremely promising lad, as to whose state of health a mistake was made in London. He was carried off soon after arrival by rapid consumption, for which he was treated with the greatest care at the Home, till at last Miss Barber was obliged to remove him (she going with him herself) to the Montreal General Hospital. The kindness lavished on the poor boy there by every one having anything to do with him was such as could not have been exceeded.

Q. What do you think of the suggestion (pages 31 and 32) that the direct superintendence and care of juvenile immigration should be assigned to the municipal and school authorities?

A. It is one that I think no one but a stranger to Canada, full of English poor-law ideas, could have thought of. It would be the constituting (in effect) of a poor-law machinery here, for the one class of juvenile immigrants. If it could be tried, it would kill off all action by other machinery, and would fail otherwise in every respect. That it could not be tried, or here seriously entertained, is the best thing one can say of it.

The Chairman submitted the following letter from Mr. A. Thompson, M.P. (Welland):—

“ House of Commons,
“ 27th March 1875.

“ To the Chairman of the Committee on Immigration.

“ DEAR SIR,—I live near Miss Rye's 'Home.' I have never visited the establishment, but I can confidently say that the labours of Miss Rye are highly appreciated throughout all the neighbourhood, and I never have heard a word against her in a pecuniary or any other sense.

“ I hope Miss Rye's labours and transactions will receive the most generous construction by the Committee.

“ Yours truly,
“ WM. A. THOMPSON.”

The Chairman submitted the following letter from Miss Rye:—

C. H. Pozer, Esq.,
Chairman of the Emigration and
Colonization Committee, &c.

The Russell House, Ottawa,
24th March 1874.

MY DEAR SIR,—In my address to your Committee the other day, I left a few matters unexplained, and with your permission I should like to make the following addenda to my previous statements:—

I commenced my work for the emigration of pauper children from England in October 1869, since which date the work has been imitated by the following persons, all acting, I believe, independently of each other—Miss Macpherson, with her three Homes of Galt, Belleville and Knowlton, and with whose labours you are already well acquainted; Mrs. Birt (a sister of Miss Macpherson), labouring at Halifax, and who, like myself, has (I believe) used the orphanage of that town by kind permission of the lady managers of the establishment, for distributing her children in Nova Scotia, and the Rev. F. Bowman Stephenson (a member of the London School Board), whose homes (for boys and girls) are located at Bonner Road, London, England, and the Home Farm, Lancashire, the distributing home in Canada being at Hamilton; also Mr. Middlemore's Home at Birmingham with its distributing home at London, Canada West.

These, together with the children sent out by the Roman Catholics, under the auspices of the Archbishop of Westminster, and I believe under the immediate care of Miss Fletcher, but whose distributing home in Canada I cannot name, form to the best of my knowledge the off-shoots of my idea broached in the English *Times* of 1868.

The Roman Catholic children have been sent from the St. George's (Hanover Square) Union Schools, which have from time to time committed six parties of children to my care, and it was through the unwearied exertions of two members of that Board, viz., Colonel Fremantle and Mr. R. Fleming, that the Roman Catholic members of that Board availed themselves of so great advantage for placing out in life members of that one persuasion in Canada.

I do earnestly beg your Committee to recommend to your Honourable House that the closest investigation be made of our several books, papers, and accounts, and also having regard to the possible ultimate stream of available emigration which can flow from our workhouse schools, I would suggest a house to house visitation, so that it shall not be possible in England to say that your Committee has selected a few favourable cases as a balance to Mr. Doyle's few unfavourable ones. Let the work be judged as a whole, and I believe if a very large Commission were formed and the work divided geographically, and many members of your House asked to co-operate, the thing could be done simultaneously, and with an accuracy equal to its rapidity.

Believe me, dear Sir,
Yours very faithfully,
MARIA S. RYE.

IMMIGRATION AND COLONISATION.

FIRST REPORT of the SELECT COMMITTEE OF
THE PARLIAMENT OF CANADA ON IMMIGRATION
AND COLONISATION.

(Presented by Her Majesty's Command.)

Ordered, by The House of Commons, to be Printed,
23 June 1875.

275.

Under 3 oz.

187

CORRESPONDENCE

RESPECTING A

RESERVED BILL

OF THE

CANADIAN PARLIAMENT,

INTITULED

“An Act to Regulate the Construction and Maintenance of
Marine Electric Telegraphs.”



*Presented to both Houses of Parliament by Command of Her Majesty.
February 1875.*

LONDON:

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Correspondence respecting a Reserved Bill of the Canadian
Parliament, intituled “ An Act to Regulate the Construction
and Maintenance of Marine Electric Telegraphs.”

No. 1.

The Earl of Dufferin to the Earl of Carnarvon.—(Received June 17.)

My Lord,

Government House, Ottawa, June 4, 1874.

I HAVE the honour to inclose a copy of a Bill which I have thought it desirable to reserve for your Lordship's approbation.

Accompanying the Bill is an Order in Council explaining its provisions, and insisting with very great force on the desirability of the object it is intended to effect.

My Government attach the very greatest importance to the measure, and have requested me to urge their views upon your Lordship in the strongest possible language.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 1.

An Act to regulate the Construction and Maintenance of Marine Electric Telegraphs.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. This Act shall apply—

(1.) To every Company or association of persons hereafter authorized by any special or general Act of the Parliament of Canada or under the provisions of this Act, to construct or maintain telegraphic wires or cables in, upon, under, or across any gulf, bay, or branch of any sea, or any tidal water within the jurisdiction of Canada, or the shore or bed thereof respectively, so as to connect any province with any other province of the Dominion, or to extend beyond the limits of any province.

(2.) To every Company authorized to construct or maintain such telegraphs before the passing of this Act by any such special or general Act of the Parliament of Canada, or by any other special Act or Charter of any of the provinces constituting the Dominion and at the time of the passing of this Act in force in Canada.

2. The term “ Company ” in this Act shall mean any Company or association of persons in the preceding section mentioned.

3. The Company shall not place any telegraphic wire, cable, or work connected therewith in, under, upon, over, along, or across any gulf, bay, or branch of the sea or any tidal water, or the shore or bed thereof respectively, except with the consent of all persons and bodies having any right of property or other right, or any power, jurisdiction, or authority, in, over, or relating to the same which may be affected or be liable to be affected by the exercise of the powers of the Company.

4. Before commencing the construction of any such telegraph or work as last aforesaid, or of any buoy or sea-mark connected therewith, except in cases of emergency for repairs to any work previously constructed or laid, and then as speedily after the commencement of such work as may be, the Company shall deposit in the office of the Department of Marine and Fisheries a plan thereof for the approval of such Department. The work shall not be constructed otherwise than in accordance with such approval. If any work is constructed contrary to this provision, the Department of Marine and Fisheries may, at the expense of the Company, abate and remove it, or any part of it, and restore the site thereof to its former condition.

5. The Company may, in or about the construction, maintenance, or repairs of any such work, use on board ship or elsewhere any light or signal allowed by any regulation to be made in that behalf by the said Department.

6. If any such work, buoy, or sea-mark is abandoned or suffered to fall into decay, the said Department may, if and as it thinks fit, at the expense of the Company, abate and remove it, and restore the site thereof to its former condition, and the said Department may at any time, at the expense of the Company, cause to be made a survey and examination of any such work, buoy, or sea-mark, or of the site thereof.

7. Whenever the said Department, under the authority of this Act, does in relation to any such work any act or thing which the said Department is, by this Act, authorized to do at the expense of the Company, the amount of such expense shall be a debt due to the Crown from the Company, and shall be recoverable as such with costs, or the same may be recovered with costs as a penalty is or may be recoverable from the Company.

8. The Company may, with the consent of the Governor in Council, take and appropriate for the use of the Company, for its stations, offices, and works, but not alienate, so much of the land held by the Crown for the Dominion and the shore or bed adjacent to or covered by any gulf, bay, or branch of the sea, or by any tidal water, as is necessary for constructing, completing, and using the telegraph and works of the Company.

9. The Company may also acquire from any province of the Dominion any land or other property necessary for the construction, maintenance, accommodation, and use of the telegraph and works of the Company, and also alienate, sell, and dispose of the same when no longer required for the purpose of the Company.

10. The Company may also acquire from any person or corporation any land necessary for the construction, maintenance, and use of the telegraphic cable and works of the Company, adjacent to or near the shore end or place of landing of the telegraph. And in case the Company and such person or corporation should fail to agree upon the possession or price of such land, the Company is hereby empowered to enter upon and take such land, limited to an area of five acres, under the powers, authorities, and provisions of "The Railway Act, 1868," the sections of which, in respect to compulsory powers for the acquisition of lands, are hereby declared to be applicable to any Company within this Act, and the powers, authorities, and provisions contained in the said sections of the "Railway Act, 1868," are hereby declared to be vested in and exercisable by any such Company for the purpose aforesaid.

11. The Company shall not be entitled to exercise any of the powers of this Act until the Company shall have submitted to the Governor in Council a plan and survey of the proposed site and location of such telegraph and its approaches at the shore, and of its stations, offices, and accommodations on land, and of all the intended works thereunto appertaining, nor until such plan, site, and location have been approved by the Governor in Council, and such conditions as he shall have thought fit for the public good to impose touching the said telegraph and works, shall have been complied with.

12. The Company shall transmit all messages in the order of which they are received, and at equal and corresponding tariff rates, under the penalty of not less than 50 nor exceeding 200 dollars, to be recovered with costs of suit by the person aggrieved; and the Company shall have full power to charge for the transmission of such messages, and to demand and collect in advance such rates of payment therefor as shall be fixed from time to time as the tariff of rates by the bye-laws of the Company: Provided, however, that arrangements may be made with the proprietors or publishers of newspapers for the transmission for the purpose of publication of intelligence of general and public interest, out of its regular order, and at less rates of charge than the general tariff rates.

13. Any message in relation to the administration of justice, the arrest of criminals, the discovery or prevention of crime, and Government messages or despatches, shall always be transmitted in preference to any other message or despatch, if required by any person officially charged with the administration of justice, or any person thereunto authorized by the Secretary of State of Canada, or by the Secretary of State for the Colonies on behalf of the Imperial Government.

14. No Company or association of persons other than those mentioned in the first section of this Act, which become incorporated in Canada under the next following section shall maintain, construct or use any telegraphic wire or cable connecting two or more Provinces of the Dominion, or extending beyond the limits of any Province in, upon, under or across any gulf, bay or branch of any sea or any tidal water within the

jurisdiction of Canada or the shore or bed thereof respectively: Provided that nothing in this section contained shall be construed to prohibit any existing Telegraph Company or association from continuing to receive and transmit messages over its line of marine telegraph, until such time as another Company, under the authority and within the provisions of this Act, has constructed and is operating a line of marine telegraph which has been determined by the Governor in Council to afford reasonable facilities for the transmission of marine telegraphic messages in lieu of the line or lines of such existing telegraph company or association, or to be a line for doing business over a route of a competitive nature.

15. In case any Company is now or shall hereafter be authorized by any special Act of the Parliament of Great Britain, or incorporated under the Imperial Joint Stock Companies' Act, or any other general Act of the Imperial Parliament or by Royal Charter, for establishing or maintaining telegraphic communication in, upon, under or across any gulf, bay, or branch of any sea or tidal water within the jurisdiction of Canada, the Governor in Council may by letters patent under the Great Seal of Canada, and upon the terms and conditions to be contained therein, grant a charter to the persons forming such Company, upon the Company petitioning therefor, and such persons and others who may become shareholders in the Company shall be constituted a body corporate and politic by the same name, and with the same power and constitution in Canada, for the said purpose and object of establishing and maintaining their said telegraph and works within the jurisdiction of Canada, but any such grant shall be expressly subject to this Act, and conditional upon the Company doing, observing, and performing the several provisions thereof, and such Letters-Patent being published in "The Canada Gazette" with any Order or Orders in Council relating to the said Letters-Patent, shall have the like force and effect, as if the Company had been incorporated by special Act of Parliament, but no such Letters-Patent or grant of corporate powers to be exercised within the jurisdiction of Canada shall be made to or conferred upon any Company or association which possesses any exclusive privilege of landing wire or cable for a marine telegraph in or upon the coast of any State, Province, or country in America, Europe, or elsewhere, unless an equal or reciprocal right or privilege of landing wire or cable, and establishing a marine telegraph upon the same coast is conceded to any and each of the Companies in the first section of this Act mentioned, or which may become incorporated in Canada under the provisions of this section of this Act, so that any Company incorporated or to be incorporated in Canada, may enjoy the same advantages in maintaining its marine telegraph line in and upon the same coast as the said Company which may possess such exclusive privilege.

16. In case any Company heretofore incorporated by any special Act of the Parliament of Canada, has acquired any exclusive privileges of landing wire or cable for a marine telegraph upon the coast of any other country, such Company shall be entitled to exercise and enjoy any such existing privilege, unimpaired by this Act; but no Company heretofore incorporated by any such special Act, shall acquire any further or additional exclusive privileges of landing wire or cable as aforesaid.

17. The Parliament of Canada may at any time amend, vary, or repeal any of the provisions of this Act.

The above is a true copy of the Bill passed by the Senate and House of Commons of Canada and reserved for the signification of the Queen's pleasure thereon, on Tuesday the 26th day of May, 1874.

(Signed)

ROBERT LE MOINE, C.P.

Ottawa, June 2, 1874.

Inclosure 2 in No. 1.

Report of a Committee of the Honourable the Privy Council, approved by his Excellency the Governor-General, on the 4th day of June, 1874.

THE Committee of the Privy Council have the honour to report—

That at the last Session of the Parliament of Canada a Bill was passed by both Houses entitled "An Act to regulate the construction and maintenance of Marine Electric Telegraphs," which, in accordance with paragraph 7 of the Royal Instructions was, upon the advice of the Minister of Justice, reserved by his Excellency the Governor-General for the signification of Her Majesty's pleasure: and that the Minister

of Justice thus advised, as the Bill "is one of some importance, and may possibly be considered to prejudice the interests and rights of property of Her Majesty's subjects not residing in Canada."

That the Anglo-American Telegraph Company appeared by Counsel before the Committee of the Senate to which the Bill was referred and urged that their rights and privileges would be prejudiced by it, but that the Committee reported in favour of the Bill, and the same was then passed by that body.

That the advice to the Governor-General that the Bill should be reserved was given merely in deference to the language of the Royal Instructions, and not from any conviction or belief that the Bill in any way interferes with or is prejudicial to the rights of the Anglo-American Telegraph Company, or of any other Company with similar objects or with similar rights.

That the Bill in question is calculated to afford facilities to any persons seeking incorporation for the purposes of marine telegraphs, and will tend to promote, not the establishment (or monopoly) of one Company only, but of several, for the same purposes.

Whilst, as regards any supposed rights or franchises of the Anglo-American Company, or of any other Company with which this Bill can be alleged to interfere, the Committee are quite at a loss to know in what they can be said or supposed to exist, or what peculiar rights of any kind that Company or any other can at present claim in Canada.

The 14th section prohibits any Company, except such as have been or may be incorporated in Canada from maintaining or constructing a marine telegraph (saving the user of any existing Telegraph Company, during the non-existence of any company arising within the provisions of the Bill). But the 15th section provides that the necessary corporate powers in Canada (for any company so prohibited by the 14th section) may be procured from the Governor in Council, upon condition, however, that other companies created under the authority of the reserved Bill, shall have conceded to them and enjoy equally with it any advantages or privileges which it may possess.

In these provisions, therefore, will be found the object of the Act—the encouragement of marine telegraph companies in Canada, but so as that all such companies, whether of Imperial or Canadian incorporation, shall enjoy equal rights and privileges in all respects amongst themselves, and without any special monopoly.

That is to say, Parliament is willing to extend to companies of Imperial or Parliamentary origin in Great Britain the same corporate powers which it is proposed shall exist in any companies of Canadian incorporation, provided that equal rights and privileges in all respects are enjoyed by all.

The Committee are of opinion that no company is in existence possessing rights and privileges in Canada which can in any way be legally affected by the reserved Bill.

They at the same time desire to express their strong conviction that this measure is calculated to be highly beneficial to the interests of Canada, and is also in accordance with the established policy of the country, and they submit that Her Majesty's Secretary of State for the Colonies be requested to pray Her Majesty's sanction to the Bill at an early date.

Certified,
(Signed) W. A. HIMSWORTH, C. P. C.

No. 2.

The Earl of Dufferin to the Earl of Carnarvon.—(Received October 13.)

My Lord,

Canada, October 2, 1874.

I HAVE the honour to forward, for your Lordship's information, copy of an Order in Council dated the 2nd day of October, 1874, in reference to the recent Telegraph Act of the Dominion Legislature which has been reserved for your Lordship's consideration.

The Order in Council is accompanied by a copy of "The Money Market Review,"* and a pamphlet entitled "Memorandum of Association of Anglo-American Telegraph Company,"* and by copy of an Order in Council of the 4th of June, 1874, relative to the same subject.†

These documents have only reached me as the mail was upon the point of closing,

* Not printed.

† Vide Inclosure 2 in No. 1.

and I have not had time to do more than glance at the principal document. I forward it, however, being unwilling to delay its arrival in your Lordship's hands.

I have, &c.
(Signed) DUFFERIN.

Inclosure 1 in No. 2.

Report of the Honourable the Privy Council, approved by His Excellency the Governor-General in Council on the 2nd day of October, 1874.

THE Committee of Council having reference to an Order in Council of the 4th June last, of the reserved "Marine Electric Telegraph Company's Bill," have the honour further to report:—

That a telegram to the following effect from the Honourable the Secretary of State for the Colonies was submitted by your Excellency:

"Before a decision is given as to the Marine Electric Telegraph Act, Her Majesty's Government desire to know whether effect of concession of exclusive rights of Anglo-American Company, confirmed so lately as 1869 by Prince Edward Island Act, has been duly considered, and whether that Company could claim compensation for its withdrawal, also whether interests of proprietary were fully considered before the Bill was passed.

(Signed) "CARNARVON."

To which the following reply was sent:

"I am advised that the charter given by Prince Edward Island was not urged upon the Committees in Parliament (when considering the Telegraph Bill), nor was it brought before the Government. It is difficult to ascertain what privileges the concession of exclusive rights to 'New York, Newfoundland, and London' Telegraph Companies originally embraced. It is doubtful whether any such privileges now exist, as the Company is now apparently merged in another Company without Legislative sanction of Prince Edward Island or Canada.

"Despatch will be sent giving further particulars.

(Signed) "DUFFERIN."

That some delay has necessarily arisen in the further consideration of the subject of the above telegram to your Excellency, in order that the Privy Council for Canada might obtain full information thereupon.

That after full inquiry the Committee find as follows:—

1. That any exclusive concession in Prince Edward Island, by Acts of its Legislature, was in favour of "the New York, Newfoundland, and London Telegraph Company," a Newfoundland Corporation, and it was expressly limited "during its existence."*

See Statutes Prince Edward Island—
17 Vict., c. 4, 1854
20 Vict., c. 13, 1857
25 Vict., c. 9, 1862
32 Vict., c. 34, 1869

2. That the Newfoundland Company did not, in fact, avail itself of the exclusive provisions of the Act of 1854, or construct any cable on the faith of this protection.

3. That another Company had previous to the passing of that Act, laid down a cable from the island to New Brunswick, and this by section 8 was vested in the Newfoundland Company.

4. That the Committee are informed that the service was continued to be so inefficiently performed as to give rise to the conditional revocation of the Company's powers by the Act of 1862.

5. That the Newfoundland Company were to receive an annual subsidy from the Province for maintaining this line; it would, therefore, appear to have been constructed for no local convenience of the island, and not with reference to any cable line in contemplation by the Company, to which the prohibitory provisions of the Act of 1854 might have been attached.

See recitals in Prince Edward Island Statutes, 1862.

6. That, moreover, by section 6 of the Act of 1869, the right would appear to be reserved to the Executive Government to dispense with these services, and to make arrangements with any other Company for this connection.

7. That in May 1873† the Newfoundland Company became merged in the Anglo-

* Act 1854, sec. 2.

† See proceedings at "General Meeting of the Anglo-American Company, May 22, 1873;" also "Société du Cable Transatlantique, May 23, 1873;" also "Terms of Resolution adopted at these Meetings, reported in the 'Money Market Review,' May 24, 1873;" also "Pamphlet of Company."

American Company (a Corporation under the Imperial Joint Stock Companies Act), and the intention and effect of such merger was to put an end to the existence of the Newfoundland Company as a Corporation.

reference to
s Act at General
meetings above.

8. That an Act of the Legislature of Newfoundland had been passed, which authorized such consolidation being entered into, and the transference of the rights of the Newfoundland Company to the Anglo-American Company, but no such Legislation was sought or obtained in the Province of Prince Edward Island.

9. That the Committee believe that, by the terms of amalgamation, the Anglo-American Company retained part of the consideration (135,000*l.*) going to the proprietors of the Newfoundland Company against the pre-emptive claim of the Province of Newfoundland, but that there was no similar provision as to Prince Edward Island.

10. That the concession in the latter Province would appear not to have been deemed of any importance to the contracting parties, or to have formed an element of value in the consideration.

11. That at the same time that negotiations for this amalgamation were proceeding between the Telegraph Companies in May 1873, terms of union between the Province of Prince Edward Island and the Dominion were being discussed, and neither Government could have considered that the Island was in any way subject to any exclusive concession in favour of any Telegraphic Company, for it was an absolute obligation imposed on the Dominion that it should maintain telegraphic communication between the island and the mainland of the Dominion, as well as an efficient steam service for mails and passengers.*

Statutes Canada,
Vict., c. 82.

12. The Parliament of Canada during the last Session passed a Private Act, introduced after the duly published preliminary notices, whereby the Dominion Telegraph Company was authorized to extend its lines by cable into Prince Edward Island.

13. It would, therefore, appear to be very questionable whether, under these circumstances, the Newfoundland Company having ceased to exist, any monopoly or concession it might have been possessed of is not also at an end, quite independently of the fact that no transfer of any such exclusive privilege or concession was made, or could be made, without the sanction of the Prince Edward Island Legislature.

It may further be observed that, as far as the Committee can ascertain, this concession does not appear to have formed any part of the consideration for the purchase by the Anglo-American Company, and that as the Dominion has itself assumed the obligation of maintaining telegraphic communication between the Island and mainland, there was nothing which the Anglo-American Company could have urged before the Legislature (if it had thought fit to do so), based on any circumstances connected with Prince Edward Island, which could have availed to defeat the Marine Telegraph Bill or to form the subject of compensation.

There can be no doubt but that the Parliament of Canada fully considered the effect of this Bill, and that although it was urged on behalf of the Anglo-American Company that the interests of the proprietors would be seriously affected if the Company was obliged to give up its occupation, for cable purposes, of the shores of Canada, which, by the provisions of the Bill, it can only retain by consenting to give equivalent privileges to any other company in Newfoundland. The Parliament of Canada considered this occupation to be only on sufferance, and determinable at will.

That such occupation appears to have been taken and used without any authority (which would constitute it a right), but that such occupation can only be lawful and continue by compliance with the terms of the Act, and on condition that the Company yield the like privilege to any other Corporation in Newfoundland.

That no franchise or favour of the Anglo-American Company existed in any part of Canada, and that the Company could not lawfully assume to exercise any such, except with the sanction of the Parliament of Canada.

That it is obvious that Parliament would not recognize the position claimed by the Anglo-American Company, inasmuch as by so doing it would admit that by virtue of an Act of Newfoundland, the Company had gained and could retain in Canada without the sanction of its supreme authority, privileges in the nature of a monopoly.

In conclusion, the Committee desires to call attention to the fact that while the Bill is plainly within the powers and jurisdiction of the Parliament of Canada, the original grant by Newfoundland was declared contrary to Imperial policy. (See despatch January 18, 1858.)

* See Order in Council, Court at Windsor, 26th June, 1873. Appointing of Union, and Schedule of Terms annexed. Statutes of Canada postponed, p. xii.

The Committee submit that it would be in direct conflict with the spirit of the above despatch, now to interfere with the Parliament of Canada in the exercise of its constitutional right to declare on what condition alien corporations should be permitted to make use of any portion of its territory.

Certified,
(Signed) W. A. HIMSWORTH,
Clerk Privy Council, Canada.

No. 3.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, October 29, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 2nd instant,* transmitting a copy of a Report of the Privy Council of the same date on the subject of the Marine Electric Telegraphs Bill of the Dominion Legislature, which has been reserved for the signification of Her Majesty's pleasure.

2. I have for some time past felt little doubt as to the advice which it would become my duty to tender to the Queen with reference to this Bill, but I have deferred any expression of opinion on the subject until the receipt of your promised despatch.

3. The Bill was reserved (as stated in the previous Report of the Committee of Council, dated June 4, 1874, which accompanied the Bill) because the measure was "one of some importance, and might possibly be considered to prejudice the interests and rights of property of Her Majesty's subjects not residing in Canada," and it is further stated that this was done merely in deference to the language of the Royal Instructions, as quoted above. The subject to which this Bill relates is, in my opinion, one of those with which the Dominion Legislature has been, under the 91st and 92nd sections of the Imperial "British North America Act, 1867," expressly empowered to deal. It seems to me to be clearly within the competency of the Dominion Government and Parliament to legislate without any interference on the part of the Government of this country upon a local question such as forms the subject-matter of the Bill, involving, as it does, no points in respect of which it would appear necessary that Imperial interests should be guarded, or the relations of the Dominion with other Colonial or foreign Governments controlled.

4. I am well aware, from the numerous representations which have been made to me on both sides, that the reserved Bill affects the pecuniary interests of many persons not residing in Canada, but Her Majesty's Government is not on that account called upon to review the decision arrived at by the Legislature of the Dominion. Looking to the large intercourse maintained between Canada and this country, and the extent to which British subjects residing out of Canada hold real and personal property, and are interested in joint-stock enterprise within the Dominion, it is obvious that, if the intervention of Her Majesty's Government were liable to be invoked whenever Canadian legislation on local questions affects, or is alleged to affect, the property of absent persons, the measure of self-government conceded to the Dominion might be reduced within very narrow limits.

5. It is to the Dominion Government and Legislature that persons concerned in the legislation of Canada on domestic subjects and its results must have recourse; and this Government cannot attempt to decide upon the details of such legislation without incurring the risk of those complications which are consequent upon a confusion of authority.

6. While, therefore, I entirely appreciate the action of your Ministers in reserving the Bill, I am of opinion that any further consideration of the subject should be given by that body whose province, as I have observed, it is to deal with such questions, and that I cannot properly assume the function of deciding between the conflicting views of those who have addressed me, whether in favour of, or against, the policy embodied in this measure. In order to enable this to be done I have decided to leave the present Bill in abeyance, and to tender no advice to Her Majesty respecting it.

I have, &c.
(Signed) CARNARVON.

The Earl of Carnarvon to the Earl of Dufferin.

My Lord,

Downing Street, November 19, 1874.

WITH reference to my despatch of the 29th of October,* I transmit to you, for your information, and for communication to your Ministers, a copy of a despatch† which I have addressed to the Governor of Newfoundland with regard to the power possessed by the Newfoundland Government under Section 15 of the Newfoundland Act No. 2 of 1854, to purchase the lines of telegraph and other property of the New York, Newfoundland, and London Telegraph Company with the view of terminating the monopoly conceded by that Act.

I have, &c.

(Signed) CARNARVON.

 Inclosure in No. 4.
The Earl of Carnarvon to Governor Sir Stephen Hill, K.C.M.G.

Sir,

Downing Street, November 17, 1874.

I ENCLOSE, for your information, and for communication to your Ministers, a copy of a despatch which I have addressed to the Governor-General of Canada with regard to the reserved Bill of the Dominion Parliament "to regulate the construction and maintenance of Marine Electric Telegraphs."*

2. Until the course to be taken by Her Majesty's Government in this matter had been decided, I thought it expedient to defer answering your despatch of the 9th May, in which you inclosed a Minute of your Executive Council inquiring whether Her Majesty's Government would, upon terms to be hereafter agreed upon with the local Government, undertake the purchase claimed by the Government of Newfoundland under the Act, cap. 2, of 1854, incorporating the New York, Newfoundland, and London Telegraph Company, with the view of terminating the monopoly conceded by that Act.

3. The decision which has been arrived at to take no action with respect to the Dominion Reserved Bill, in order that, if thought desirable, a fresh Bill may be introduced next session, would seem to render it unnecessary, or perhaps impossible, to decide at the present moment whether the Newfoundland Government should take any steps to terminate the monopoly under the provisions of the Act, cap. 2, of 1854.

4. In the event, however, of a sum of money becoming payable either by arrangement or award for that purpose, Her Majesty's Government do not perceive that they could properly invite Parliament to contribute a portion of that payment.

5. But, having regard to the conflicting legal opinions to which you refer in your despatch, I have thought it desirable, in the interests of your Government, to consult the Law Officers of the Crown as to the subject matter comprised within the power to purchase conferred upon the Newfoundland Government by section 15 of the Act above referred to, that is to say, whether that Government could claim to buy out the whole interest of the Company for the actual appraised value of the telegraph lines, wires, cables, apparatus, vessels, and all other appliances connected therewith, or whether any further claim could be made by the Company for compensation for the loss of the monopoly which would be terminated by such purchase, or for any other right or interest conveyed by the Act, and further as to the course which it might be advisable that the Government of Newfoundland should take with a view to determine its power to purchase.

6. I am accordingly advised that the expressions "other property" and "all other property connected therewith," used in the 15th section of the Act of 1854, were intended to comprise merely property of the same nature as the property mentioned in the parts of the section immediately preceding those expressions, and therefore that, upon payment of the amount awarded as to the value of the telegraph lines, wires, &c., under the provisions of the above-mentioned section, the undertaking of the Telegraph Company will become vested in Her Majesty, and that the Telegraph Company will not be able to insist upon the Arbitrators or Umpire awarding an amount of compensation for the good-will of the concern or the loss of the monopoly. If it had been the intention

* No. 3.

of the Colonial Legislature that the Telegraph Company, upon the exercise by the Government of the power conferred upon them to purchase the undertaking should not only retain the lands, &c., granted to the Company, but also be paid a sum for the loss of their monopoly, it may be presumed that a very explicit provision to that effect would have been found in the Act.

7. With reference to the course which the Newfoundland Government should take, if it is decided to proceed in the matter, I am advised that it would be desirable for that Government to follow exactly the directions given in section 15 of the Act, and in the event of the Company neglecting to take any of the steps incumbent on them (*e.g.* to choose an arbitrator) to call in, and the Supreme Court of the Colony to enforce compliance with the statutory requirements.

8. An opportunity would then, perhaps, arise of obtaining a judicial determination as to the rights reserved to the Government by the 15th section.

9. In thus conveying to you the advice which I have received on this subject, I do not lose sight of the reason which has rendered your Ministers reluctant to take steps for exercising the right of pre-emption; the apprehension, namely, that the award might possibly be made on the opposite principle to that which, as I have informed you, I am now advised to be the correct one, and might, consequently, involve the payment of a larger sum of money than Newfoundland could undertake unassisted.

10. Looking to all the circumstances, your Ministers will probably now be of opinion that it is not likely that any excessive sum would become payable; but on this subject it might be of advantage for the Government of Newfoundland to confer with the Dominion Government, and consider whether some terms could be laid down, on which any payment found to be necessary might be apportioned between Canada and Newfoundland.

I have, &c.
(Signed) CARNARVON.

CORRESPONDENCE respecting a Reserved
Bill of the Canadian Parliament,
intituled "An Act to Regulate the
Construction and Maintenance of
Marine Electric Telegraphs."

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 1875.*

CAPE OF GOOD HOPE.

RETURN to an Address of the Honourable The House of Commons,
dated 13 April 1875;—for,

“COPY of a DESPATCH of the 18th day of August 1866, or about that Date, from Sir *Philip Wodehouse* to the Secretary of State for the Colonies, regarding the DISTRESS prevailing at the *Cape of Good Hope*, founded upon Communications from the Consul General of the Ottoman Porte in that Colony, together with the REPLY of the Secretary of State.”

Colonial Office, }
April 1875. }

J. LOWTHER.

No. 1.

Governor Sir *P. E. Wodehouse*, C.B., K.C.M.G., to the Earl of *Carnarvon*.—
(Received 24 September 1866.)

Cape of Good Hope, Government House,
Cape Town, 17 August 1866.

My Lord,

AT the request of one of the Mahometan priests of this town, I beg to forward a letter which he wishes to have transmitted to the Government of the Sultan.

I have, &c.
(signed) *P. E. Wodehouse*.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 1.

Governor Sir *P. E. Wodehouse*, C.B., K.C.M.G., to the Earl of *Carnarvon*.
17 Aug. 1866.

Enclosure.
Letter from *Imaun Hadje Magiedien*.

Enclosure in No. 1.

Cape Town, Cape of Good Hope,
8 August 1866.

Enclosure in No. 1.

May it please your Highness,

ON behalf of my congregation and myself, I beg most respectfully to bring through your Highness under his Imperial Majesty the Sultan's consideration the state of our Mahometan community of Cape Town. During the last two years we have suffered severe distress and poverty. Many of us are proprietors of landed property, and worked very hard to pay the interest and diminish the capital, but in consequence of the depreciation in the value of houses and buildings we sustained very severe losses, and in fact, in several instances some were utterly ruined. In proof, I beg humbly to instance one case affecting myself. Some years since I bought a house which cost me 500 *l*. I procured money on interest to pay for it. By dint of perseverance and industry I was able to reduce the debt to 250 *l*. The party from whom I obtained the money (Mr. Zeederberg) died, and I was called upon by the executors (the South Africa Association) a few months ago to pay the amount. Being unable to meet the claim, a power of attorney was granted by me to sell the property voluntarily. It was done, and it only realised 250 *l*. This was but the amount of the debt, and I was still to pay the expenses incurred. I had another house in Loopstreet, where I have my church, and where religious services are performed. The Consul General of the Sublime Porte when appealed to, gave me the money, or that also would have been sold. There are many cases even of a worse nature

nature among my congregation where the same honourable gentleman acted in a similar manner. This is with regard to proprietors of landed property. Now, with respect to food and clothing, I may mention that there were many who had neither, but in that case also his Imperial Majesty's representative came liberally forward to supply them. He visited us personally, and administered the relief of which we stood so much in need.

During the last Ramadan the Consul General rendered most material aid and assistance by means of money and provisions, and to show the extent of our distress, I may mention that I was compelled to apply on several occasions to Mr. de Roubaix even for assistance to bury members of my congregation according to our religion.

Cured fish and other provisions have been laid in for the winter by Mr. de Roubaix, and the poor, from time to time, receive them according to their wants. I consider it my duty to bring these circumstances under his Imperial Majesty's gracious consideration, in order that his Majesty be in possession of information of so much importance and act accordingly.

I would, in conclusion, respectfully assure your Highness that the Mahometan population here of all denominations feel grateful for the appointment of the Hon. Mr. de Roubaix to the Turkish consulate, being fully aware of the reasonable choice made by your Majesty of one who had been previously known to us for many years, and in whom, as now, we have always found a fast and steady friend in the hour of need; and I, therefore, in common with the other brethren of the Mahometan faith belonging to my congregation, deem it only to be an act of common justice to bring his valuable aid and services to his Imperial Majesty the Sultan's notice, feeling assured that they will be acceptable to his Majesty, and that they will receive at the hands of his Majesty the high consideration which his Majesty is ever known to bestow on those to whom his Majesty delegate important trusts, and who execute those trusts with honourable zeal and advantage to all.

Yours, &c.

(signed) *Imaum Hadje Magiedien.*

To his Highness Aali Pacha,
Minister for Foreign Affairs, Sublime Porte,
Constantinople.

No. 2.

No. 2.
Governor Sir P. E.
Wodehouse, C.B.,
K.C.M.G., to the
Earl of Carnarvon.
18 Aug. 1866.

Governor Sir *P. E. Wodehouse*, C.B., K.C.M.G., to the Earl of *Carnarvon*.

Government House, Cape Town,
18 August 1866.

My Lord,

I BEG to acquaint your Lordship that I have been requested by Mr. P. de Roubaix, a member of the Legislative Council, and Consul General for Turkey in this Colony, to make you aware of his late efforts for the relief of the Mahometan population of this town during the general distress which has unfortunately prevailed here for several months. Mr. de Roubaix has, I learn, communicated to the Turkish Ambassador in London his proceedings in this matter, and appears anxious that Her Majesty's Government should confirm the representations he has made. I cannot, therefore, decline confirming his statements as to the distress, and expressing my belief that he has endeavoured to assist the poor Mahometans; but I must carefully guard myself against being supposed to have any desire to appeal to the Sultan's Government for the relief of the poor of this Colony.

I have &c.

(signed) *P. E. Wodehouse.*

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

No. 3.

The Earl of *Carnarvon* to Governor Sir *P. E. Wodehouse*, C.B., K.C.M.G.

Sir,

Downing-street, 10 October 1866.

I HAVE received your Despatches of the 17th and 18th August, one enclosing a letter purporting to be written by a Mahometan priest to the Turkish Minister for Foreign Affairs, praising the conduct of M. de Roubaix towards Mahometans at the Cape in a season of distress, and asking that he may receive an honorary distinction, the other apprising me of the wish of Mr. de Roubaix that Her Majesty's Government should support some communication which he has made on the subject to the Turkish Ambassador in London.

I am very glad if M. de Roubaix has made any disinterested efforts for the relief of distressed Mahometans at the Cape. He has, as Consul General for Turkey in the Colony, done what was his duty in a season of distress. But I must decline being a party to forwarding any applications destined to raise a claim on that account upon any of the authorities of Turkey for marks of distinction.

Governor Sir *P. E. Wodehouse*,
 &c. &c. &c.

I have, &c.
 (signed) *Carnarvon*.

No. 3.

The Earl of *Carnarvon* to Governor
 Sir *P. E. Wodehouse*, C.B., K.C.M.G.

10 Oct. 1866.

CAPE OF GOOD HOPE.

COPY of a Despatch of the 18th August 1866,
from Sir *Philip Wodehouse* to the Secretary of
State for the Colonies, regarding the Distress
prevailing at the *Cape of Good Hope*, founded
upon Communications from the Consul General
of the Ottoman Porte in that Colony, together
with the Reply of the Secretary of State.

(*Mr. Torrens.*)

Ordered, by The House of Commons, to be Printed,
30 April 1875.

152

CORRESPONDENCE

RESPECTING THE

CESSION OF FIJI,

AND THE

PROVISIONAL ARRANGEMENTS MADE FOR
ADMINISTERING THE GOVERNMENT.

(In continuation of Command Paper 1011, July 1874.)



*Presented to both Houses of Parliament by Command of Her Majesty.
February 6, 1875.*

LONDON:

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[C.—1114.] Price 1s. 3d.

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No. 1.

Summary of Telegraphic Communications between the Earl of Carnarvon and Governor Sir H. Robinson, K.C.M.G., during the interval between the receipt of the Report of Commodore Goodenough and Mr. Consul Layard and the departure of Sir H. Robinson for Fiji.

ON the 15th July, 1874, the Earl of Carnarvon informed Sir H. Robinson by telegraph that Her Majesty's Government had determined that it was necessary to decline the acceptance of the cession of Fiji on the conditions appended, with the signature of Mr. Thurston, to the Commissioners' Report, but would recommend the Queen to accept it on the general understanding mentioned in paragraph 52 of that Report, namely, that the Chiefs, withdrawing all conditions, would trust to the generosity and justice of Her Majesty.

That the Commissioners having gone beyond what had been expected of them in expressing themselves strongly in favour of annexation, Her Majesty's Government desired to place any further action in the hands of Sir H. Robinson, as not being committed to any view, and so able to act firmly and independently.

That he would therefore be invested with authority to act alone in this matter, and should hold himself ready to proceed to Fiji on receipt of further instructions.

On the 10th August the Earl of Carnarvon requested Sir H. Robinson, if public business should permit of his being absent from New South Wales for a few weeks, to proceed at once to Fiji, and explain to all persons concerned that Her Majesty could not be advised to accept the cession of the Islands on the conditions proposed by Mr. Thurston, but that if all questions as to the future constitution of the Colony, titles to land, compensation, and pensions were freely left to the decision of Her Majesty's Government, all claims and interests would be fully inquired into and fairly dealt with.

Sir H. Robinson was further instructed that the financial liabilities of the previous Government of Fiji could not be assumed without full examination; that the monopoly purporting to be held by the Banking Company was objectionable; that the titles under which Europeans claimed to hold land must be subject to investigation; and that the reasonable rights and interests of the native Chiefs would be recognized as far as might be consistent with British sovereignty, and with the establishment of a Colonial Government.

He was also informed that if the cession should be clearly assured he might make such sparing advances of money as might be absolutely necessary to prevent trouble arising on account of over-due wages and return passages due to labourers employed by insolvent planters, from whom bonds and mortgages and the fullest guarantees should be required.

Lord Carnarvon concluded by assuring Sir H. Robinson that he confidently relied upon his exercising the greatest prudence and skill in this difficult matter, and desiring him if he should feel doubtful on any point to apply for further instructions before sailing.

In telegrams dated the 15th, 16th, and 17th August Sir H. Robinson replied that, having conferred with his Ministers, who were most anxious to meet the views of Her

Majesty's Government. he was of opinion that arrangements could be made for his leaving Sydney for Fiji early in the ensuing month, and that there were several points in regard to which it was desirable that he should know more clearly and fully the wishes of Her Majesty's Government, and that the extent of his powers should be more precisely defined.

He proceeded to ask, first, whether, in the event of an offer of unconditional cession being made, he had authority to act as he did in the case of Kow-lun, near Hong Kong, *i.e.*, to accept the cession in the Queen's name, and make the best available temporary arrangements for the establishment of a Provisional Government, pending the issue of an Order in Council prescribing a form of constitution and providing for legislation.

He next inquired what was to follow in the event of the Chiefs declining to make an unconditional offer, as the existing temporary arrangement under which order was maintained by the Consuls supported by men-of-war could not continue. Should he seek to obtain a Treaty conferring magisterial powers and exclusive jurisdiction over Her Majesty's subjects upon the British Consul, as specially provided in Treaties with China and Japan? should he treat for the lease of a site for a British Settlement, or for the absolute cession of a small island for the formation of a British free port, like Hong Kong or Singapore? or should he take no further steps?

On the 25th August the Earl of Carnarvon telegraphed to Sir H. Robinson, in reply to the foregoing queries, that he was at liberty to accept the cession of the islands if it should be unconditional or virtually unconditional, and to make arrangements for a temporary Government; and, failing this, that he should notify the probable establishment of Consular jurisdiction over British subjects, for which no consent was needed; and, in that case, that it might be necessary to treat for the acquisition of some small island with a harbour in a commanding position. That, if an offer accompanied by amended conditions appearing unobjectionable should be made, he must report it for further instructions, but Lord Carnarvon hoped he would succeed in bringing the matter to a settlement.

Sir H. Robinson telegraphed on the 6th September that he now only awaited Mr. Parkes', the Premier's, return to Sydney, and expected to start for Fiji in the "Pearl" on Saturday the 12th September.

No. 2.

Governor Sir H. Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received November 18.)

My Lord,

"Pearl," Island of Taviuni, Fiji, October 3, 1874.

AS an opportunity occurs to-day for sending letters to England by the San Francisco mail steamer, I think it well, although the negotiations have not yet been finally concluded, to acquaint your Lordship with the progress that I have made so far in the mission with which I have been entrusted.

2. I left Sydney on the evening of the 12th ultimo, and after a passage of eleven days, including a detention of twenty-four hours at Norfolk Island, I arrived in Levuka harbour on the afternoon of the 23rd of September.

3. I at once learnt that the general feeling amongst the white settlers, and also amongst some of the natives, in favour of annexation, was less strong than it had been in consequence of the recent debate in the House of Lords upon Fiji, a Report of which had been received at Levuka by the mail which had reached that port a few days before my arrival. Persons whose interests were adverse to the establishment of good government had taken advantage of expressions in your Lordship's speech as to the Crown right of pre-emption in all lands, and as regards the "severe" form of government which would have to be adopted in the event of annexation, to excite distrust in the minds of both Europeans and natives on these subjects. The wildest reports were circulated. All private lands were to be confiscated, and Fiji was to be a penal settlement. Already 300 marines had left Portsmouth to garrison the place and coerce the inhabitants! I merely mention these absurd rumours as their prevalence obliged me, in my subsequent negotiations, to correct as far as I could such mischievous misrepresentations.

4. Upon the day after my arrival, I paid a formal visit to Thakombau and four other principal ruling Chiefs, who had come to Levuka to meet me. I annex an extract from a local paper giving an account of this interview, during which no business was transacted;

but I informed the King that whenever he felt inclined to enter upon business, I would explain to him frankly and fully the object of my visit.

5. Upon the following day (25th September) Thakombau came to see me by appointment on board Her Majesty's ship "Dido" (the "Pearl" being engaged in coaling), and we then discussed unreservedly the question of annexation in all its bearings. I placed clearly before the King the views of Her Majesty's Government. At first Thakombau seemed much depressed and reserved, but before the close of the interview, which lasted for more than two hours, he became cheerful and communicative, illustrating the opinions which he expressed with much force and humour, and in a manner which showed clearly that he perfectly apprehended the points under discussion. At the commencement of the interview he said he would take time to think of his position, and would consult with the other Chiefs as to what was best to be done; but towards the close he expressed himself strongly in favour of an unconditional cession of the Islands to the Queen, observing that "any Fijian Chief who refuses to cede cannot have much wisdom. . . . If matters remain as they are, Fiji will become like a piece of drift-wood on the sea, and be picked up by the first passer by. . . . By annexation the two races, white and black, will be bound together, and it will be impossible to sever them. The 'interlacing' has come. Fijians as a nation are of an unstable character, and a white man who wishes to get anything out of a Fijian, if he does not succeed in his object to-day, will try again to-morrow, until the Fijian is either wearied out or over-persuaded, and gives in. But law will bind us together, and the stronger nation will lend stability to the weaker."

6. The result of the interview was, I think, on the whole, entirely satisfactory, and the views expressed by the King displayed so much intelligence and unselfishness that I am sure your Lordship will feel interested in perusing a full report of the conversation. I accordingly inclose a copy of the notes which were taken down at the time by a member of my personal staff, who was present during the interview.

7. Upon the 28th it was intimated to me by a message from the King that, after two days' discussion in Council, he and the other Chiefs then present in Levuka had agreed to the following resolution:—

"We give Fiji unreservedly to the Queen of Britain, that she may rule us justly and affectionately, and that we may live in peace and prosperity."

8. I then forwarded to the King a draft of a Deed of Cession which I had prepared, and stated that, when it had been interpreted and fully explained to the Chiefs, I would be prepared to accept the signatures of such of them as were in Levuka, and on its execution by the remainder of the ruling authorities I would formally accept the cession, and establish a provisional Government until Her Majesty's pleasure as to the future constitution of the islands could be known.

9. The following day, the 29th, was devoted by the Chiefs to the consideration of the Deed of Cession, and in the evening it was intimated to me that the King and Chiefs would be prepared to sign at Nasova, the public offices of Levuka, on the morning of the 30th of September.

10. I accordingly proceeded to Nasova at 10 o'clock on the morning of the 30th, when the King read and handed to me the formal resolution of the Council giving Fiji unreservedly to the Queen. The Deed of Cession was then read in Fijian, and the instrument executed by the King and the four other ruling Chiefs who were present. I inclose a Minute of the proceedings, with copies attached of the resolution of Council and Deed of Cession.

11. I then invited Thakombau to accompany me on a tour of the islands to obtain the signatures of Maafu and of the other Chiefs not then in Levuka, whose assent was necessary to the validity of the cession. This he at once cheerfully agreed to, and we left Levuka the same afternoon in Her Majesty's ships "Pearl" and "Dido" for Loma-Loma, Maafu's capital, at which place we arrived on the morning of the 1st instant.

12. That day was occupied in receiving and paying visits of ceremony; and on the morning of the 2nd, Thakombau brought Maafu, the Chief of Lau, and Tui Thakau, the Chief of Thakaundrové, on board the "Pearl," when the Deed of Cession was fully explained to and executed by them. I inclose a copy of the notes of the meeting.

13. I am now on my way to Ritova, the Chief of Mathuata in Vanua Levu, and propose, when I have received his assent to the cession, to return to Levuka, where I hope to find assembled the few remaining Chiefs whose signatures it is desirable to obtain.

Practically, however, with Thakombau's, Maafu's, and Tui Thakau's unconditional tender of cession, the question may be considered as disposed of.

14. When the Chiefs have all executed the deed, I shall formally accept the country in the Queen's name, and assume the administration of the Government.

15. There is one clause in the Deed of Cession upon which I think it as well to make here a few explanatory observations. I refer to clause 4, which deals with the land, a question which has given me much anxious consideration. If I had avoided all specific reference to land in the deed, restricting it to a simple unconditional cession of the Sovereignty of Fiji, such a course would, I feel sure, have given rise to future difficulties and complications, and, probably, charges of breach of faith. Considering that all writers upon the land question, from Consul Prichard down to the present time, have agreed that every acre of land in Fiji is private property, it would unquestionably have been contended that a mere cession of sovereignty did not convey the absolute proprietorship of the soil. If, on the other hand, any clause had been inserted transferring to Her Majesty the possession of all lands irrespective of private ownership, and the requirements of various tribes, such a provision would never have been assented to peacefully, and the attempt to insert it would, I think, have fairly lent a colour to the rumours of confiscation and spoliation of private rights which had been so industriously circulated. I accordingly determined, after lengthened conferences with Mr. Innes, the Attorney-General of New South Wales, by whom I am accompanied as legal adviser, to insert the clause 4 in the shape in which it will be found in the accompanying copy of the Instrument of Cession. The clause simply vests in Her Majesty the absolute ownership of all lands not shown by those laying claim to them to be *bond fide* the property of Europeans or other foreigners, or not required for the maintenance and support of Chiefs and tribes, leaving Her Majesty's Government to be the ultimate judge as to what lands have been fairly acquired by Europeans, and what extent is required for the support of the natives. It would have been impossible to have gone further than this without injustice, and without giving rise at the outset of British rule to serious disaffection and difficulties. The clause as it stands is in unison with native feeling and precedent, and is, I think, satisfactory to all except such of the whites as entertain doubts regarding the *bond fide* character of their titles. As showing how thoroughly the proposal is understood by the native mind, I inclose a copy of a question put in Council by Ratu Savanaca when the Chiefs were discussing clause 4 of the Deed of Cession; he expressed satisfaction at the proposed settlement, but asked how about the disposal of land assigned to the Government for the use of Chiefs and tribes? Would the parties to whom such lands might be allotted have the right to sell or assign, or would the Crown claim the right of pre-emption? In reply to this inquiry which was brought to me informally through Mr. Wilkinson the interpreter, I intimated that the consideration of these points would form an important element in the labours of the Commission to be appointed for the purpose of inquiring into and determining upon the whole land question, and that these and other points would be settled in the manner which should be shown to be most just and advantageous for the interests of the Chiefs and Tribes. It will be a matter for serious consideration whether, having regard to the improvident character of the natives, it will be good policy to confer upon them the right of absolutely disposing of their property.

16. I shall not fail to advise your Lordship fully by the next opportunity of the further progress of negotiations; but I cannot delay this letter longer, as I am obliged to dispatch it by special boat for Levuka this morning to catch the mail steamer for San Francisco, which is expected to-morrow.

I have, &c.

(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 2.

Extract from the "Fiji Times" of September 26, 1874.

ARRIVAL OF SIR HERCULES ROBINSON.—His Excellency Sir Hercules Robinson, the Governor of New South Wales, arrived here, on board Her Britannic Majesty's ship "Pearl," on Wednesday afternoon.

At half-past 3 o'clock, on Thursday, his Excellency received the Mayor and Municipal Council of Levuka on board the ship; Sir Hercules having expressed a wish to meet them there, rather than on landing, so that no interference might be caused to any arrangements which might have been made for his reception at Nasova. Upon their arrival on board, the members of the Council were introduced by Mr. Layard, Her Britannic Majesty's Consul; and the Mayor, after a few preliminary words of welcome, read the following address:—

"To his Excellency Sir Hercules Robinson, K.C.M.G., Governor and Commander-in-chief and Vice-Admiral of New South Wales and its dependencies, &c., Her Majesty's Special Commissioner to the Kingdom of Fiji.

"May it please your Excellency,—

"We, the Mayor and Corporation of the City of Levuka, subjects of Her Most Gracious Majesty the Queen of Great Britain, address your Excellency on the part of our fellow-citizens, and in bidding you welcome to these shores, beg to express our heartfelt loyalty to Her Majesty, and our esteem and respect for your Excellency.

"We venture to assure you that whatever your mission may be, and however it may terminate, we shall never cease to foster those true and warm sentiments of affection for our native country, which every Englishman holds it his chief pride to maintain in whatever place or clime he may be.

"Feeling assured that your Excellency will find, during your sojourn in Fiji, that you are in the midst of a law-abiding and order-loving people, and trusting that you may enjoy your short stay amongst us, we have the honour to be your Excellency's most respectful servants, the Municipal Council of Levuka, by

"OTTY CUDLIP, Mayor;

"T. KLINESMITH, Town Clerk.

"Town Hall, Levuka, September 24, 1874."

The Mayor then handed the address (which was engrossed on parchment and had been most tastefully illuminated by Mr. Klinesmith, the Town Clerk) to his Excellency, who was pleased to make the following reply:—

"Mr. Mayor and Gentlemen of the Municipal Council of Levuka,

"I thank you sincerely for the loyal and gratifying address which you have presented to me, and for the cordial welcome you have afforded me on my arrival in Fiji.

"I am glad to have this opportunity of becoming acquainted with this interesting country, and I trust that my visit may prove advantageous as well to the large body of natives as to the comparatively small number of white settlers in these beautiful islands.

"September 24, 1874."

The Council, which had been most courteously received, then retired.

Commodore Goodenough, the Honourable Mr. Hutchinson, and his Excellency's Private Secretary were also present at the interview.

At about 4 o'clock, his Excellency left the "Pearl" under the usual salute, and proceeded to Nasova, where he was received by His Majesty, who was attended by the Honourable Mr. Thurston, Chief Secretary, and the Honourable Mr. Ryder, Minister of Finance. The landing took place at a jetty which had been constructed specially, and which was most tastefully decorated with flags, plants, &c. After having been introduced to the King, his Excellency, who was attended by the Commodore, Captain Chapman of the "Dido," the Honourable Mr. Innes, Attorney-General of New South Wales, the Honourable Mr. Hutchinson, and his Private Secretary, proceeded to the reception-room at Nasova. His Excellency was met by Ratu Joseph, their Honours the Judges, the American and Hawaiian Consuls, the Attorney-General, Ratu Savanaca, Tui Bua, Majors Harding and Thurston, the King's Private Secretary, and a few others. The press was represented by Mr. Reeve, "S. M. Herald," Mr. Britton, "Melbourne Argus," and Mr. Solomon, "Fiji Times." Mr. Wilkinson was in attendance as interpreter.

By desire of the King the following gentlemen were presented to his Excellency:—Sir Charles St. Julian, Chief Justice, Mr. Justice Garrick, Honourable S. C. Burt, Attorney-General, Dr. Brower, American Consul, Mr. Murray, Hawaiian Consul, Ratu Savanaca, and Tui Bua.

After having taken his seat, his Excellency desired that the King should be informed that he now merely paid him a ceremonial visit; and would not, therefore, enter upon matters of a business nature; which he hoped, however, would have their early attention. Upon the King expressing his acquiescence, his Excellency asked for Ratu Joseph, and upon his being introduced, reminded him that he had seen him in Sydney, and also said that Lady Robinson had requested him to state that she had received a letter from him with which she was much pleased, and he was glad to see how well it was written and how correctly expressed. His Excellency then intimated to the King his gratification at the appearance of Levuka, which far exceeded all that he had been lead to expect; and that he hoped the King would come and see him on board, when the matters, concerning which he had come to Fiji, could be discussed.

Upon this, the King stated that he should like the Governor to send him a written statement, setting forth clearly and without disguise, what was really required and proposed; and then he would consider the propositions and be able to come on board prepared with an answer. The King then asked the Governor how long he was coming from Sydney, and some other questions concerning the voyage.

His Excellency invited the King to visit him in Sydney, to which His Majesty replied that, if the matters concerning which the Governor had come down were settled to their mutual satisfaction, he would certainly come. His Excellency then asked the King if he would come on board the "Dido" and see him on Friday (yesterday), and upon His Majesty assenting, 11 o'clock of that day was appointed for the visit.

After some few remarks his Excellency and suite took their leave and were escorted to their boats by the King and his Ministers.

The quadrangle and grounds were crowded with visitors; there having been about 200 Europeans and 400 natives present; and the tasty and varied toilettes of the many ladies who graced the scene, lent it a charm not often seen in our small town.

Upon leaving, his Excellency was saluted with three hearty British cheers, which he courteously acknowledged. The guard of honour was under the command of Captain Blackmore.

At 11 o'clock yesterday, His Majesty returned the Governor's visit, and was received on the "Dido" with a royal salute. The interview lasted about two hours, and was, we believe, strictly private.

Inclosure 2 in No. 2.

Notes of a Conversation which took place on board Her Majesty's ship "Dido" between Thakombau and Sir Hercules Robinson, on Friday, the 25th of September, 1874; the observations on either side being translated by Mr. Wilkinson, one of the ablest and most reliable of the Interpreters in Fiji.

Sir H. Robinson.—Thakombau, I am glad to have met you, and to have met you in this informal way. I hope you will be frank with me, communicating to me any points upon which you may entertain doubt or difficulty. My intention is to tell you the truth, and nothing but the truth. My object in these negotiations is to do what in my opinion is best for you and for your people. I hope that you will feel that you are speaking to a friend, and that you will open to me your whole mind without reserve.

Thakombau.—"Sa vinaka" (It is good).

Sir Hercules Robinson.—The English Government have received the offer of cession made through the Commissioners—Commodore Goodenough and Mr. Layard, but, in consequence of the conditions attached to the offer, it cannot be accepted. The Queen could not, having regard to Her desire effectually to provide for the good government of the Fijian people, and also to her own dignity, accept a cession so hampered.

If, however, the Chiefs are prepared to tender an unconditional cession of the sovereignty of Fiji, trusting in the justice and generosity of the Queen, I am authorized on behalf of Her Majesty to accept such a cession, and to say that Great Britain would then accept the responsibility, and try to exercise its authority in such a manner as would best secure the prosperity and happiness of Fiji. The conditions attached to the proposed cession, if assented to, would, as I have before observed, render impracticable the proper government of the country.

I am authorized, further, in the event of such an unconditional cession being offered, the Chiefs trusting wholly to the justice and generosity of the Queen, to establish a temporary and provisional Government before I leave the Islands.

In the event of the King and Chiefs placing themselves unreservedly under Great Britain, it would be the wish of the Government to deal with King, Chiefs, and people, not only equitably, but liberally. The rights and interests, both of the King and of other Chiefs, would be recognized so far as is consistent with British sovereignty and Colonial form of Government.

As regards financial liabilities and engagements entered into since 1871, the Queen's Government would have them carefully scrutinized, and they would be dealt with in accordance with principles of justice and sound public policy. Any alleged lien upon your private property in connection with funds raised purely for public purposes would not be enforced by the Queen's Government.

As regards titles to land, whether made by *bond fide* or fictitious sales, and as

regards your pension and other similar matters, these are all questions that the British Government would look carefully into, and settle on an equitable and liberal basis. You would be placed in a position which would make it unnecessary for you to rely upon the contributions of the people for your support. The desire of the British Government will be to secure to you an independence commensurate with your former rank and position in the country.

I think I have now explained the general views of the Queen's Government, and I would repeat that, although only prepared to accept an unconditional cession, the Government would, I feel sure, desire to act in accordance with the general principles which I have sketched out.

It, will, therefore, be necessary for you to decide whether you can make the cession in the only form which, in the opinion of Her Majesty's Government, is compatible with the future good government of the country. If you think that you can make the cession in that form, well and good, if not, you have but to say so.

I now ask you to decide whether you would wish me to say anything further, namely, as to the course of conduct the British Government would be likely to pursue in the event of unconditional cession not being offered. The question for you to consider at present is, whether you will answer yes or no; unconditional cession or not; and if you decide in the negative, I shall then have to arrange what must be done. If you wish to have the whole case before you, I will go on, but I fear to confuse you with too many points at once.

[This was translated, and Mr. Wilkinson, having heard a somewhat lengthened answer from Thakombau, informed his Excellency that Thakombau "did not reply directly," and then proceeded to interpret his reply.]

Thakombau.—I am glad to hear all that has been spoken, and I am very much gratified at the plain, straightforward, and unmystified way in which the case has been put. It has been built up step by step.

There are two things (*sic*), first, giving the country up to England is merely a matter of a word. All our people obey us, and the greater part of the Chiefs will think that what I do is right. Whether I say that word or not is another question; it is matter for consideration, and I will take time to think of it, and consult with the other Chiefs. Second, in reference to the future. If cession takes place, various points that you have mentioned will doubtless crop up day by day. What I say is this: Why have any anxiety about the future? What is the future?—Britain. When the Commodore and the Consul came here, they took different ground to that which you have taken. They kept saying, "Tell us what you want," and pressing me to do so; hence the conditions attached to the offer of cession. But the Queen is right, conditions are not chief-like. I was myself from the first opposed to them, but was overruled. If I give a chief a canoe, and he knows that I expect something from him, I do not say, "I give you this canoe on condition of your only sailing it on certain days; of your not letting such and such a man on to it; or of your only using a particular kind of rope with it;" but I give him the canoe right out, and trust to his generosity and good faith to make me the return which he knows I expect. If I were to attach conditions, he would say, "I do not care to be bothered with your canoe; keep it yourself."

My decision in this matter will be for the good of the people and of Fiji. For the Chiefs and for myself I have no fear. We shall never be otherwise than well off. Our people will always do what we want; grow us our yams, and make our houses, and canoes, and mats. It is the people who must be considered, and their interests secured.

My answer will be given without delay; probably to-morrow or next day.

Sir Hercules Robinson.—I should like you to understand clearly what I mean when I say that I would rather not discuss the state of things which would arise, and the steps that I should have to take in the event of no cession being made, unless you yourself desire that I state them. I am anxious not to bias your judgment on the main point in any way. But if you wish, I will discuss these questions now, so that you may have the whole case before you. If otherwise, I will stop for the present, leaving you to reflect on the desirability of offering an unconditional cession or not.

Thakombau.—Why discuss the future, when the present is not decided upon? As for myself and the trustworthy Chiefs, we would give up the country to-morrow.

Sir Hercules Robinson.—Be it so; and now as I have been given to understand that some apprehension is felt that the operation of British laws upon a native population might be harsh, I wish to explain to you that there is not so much difficulty in the government of natives by Europeans as you might imagine. I was seven years in Ceylon, the native population of which island amounts to nearly 3,000,000. [When this was translated to Thakombau, he expressed astonishment, and remarked that that was twenty times

the population of Fiji.] In some respects the Singhalese are inferior to the Fijians in civilization, particularly in that very few of them are professing Christians; but in appearance and habits of thought, and in inability to understand the English language, they are very like Fijians. It was found that they could communicate their discontents and wishes to the Government through their Chiefs, so that all evils were promptly remedied, and the people were happy and content to live under English rule; indeed, after about eighty years of British sway, it is by the native population preferred to native rule. In the same way the Fijian people could communicate their wants through their Chiefs, and the system would work as well as in Ceylon.

Thakombau.—I am very much interested to hear about Ceylon. As to the harsh operation of the English law, peace and rest is what we want. These are our riches. No riches are to be compared with these in the opinion of our Chiefs. Tumult and disquiet are poverty. Of course, in order to produce food, labour will be required; but such labour, under favourable conditions of Government, will tend to the peace and prosperity of the people.

Any Fijian Chief who refuses to cede cannot have much wisdom. If matters remain as they are, Fiji will become like a piece of drift-wood on the sea, and be picked up by the first passer-by.

Sir Hercules Robinson.—I am sorry to say that all experience teaches us that when white men settle down in a place of this sort the natives are unable to protect themselves until some strong civilized Government is established.

Thakombau.—The case is similar here. The whites who have come to Fiji are a bad lot. They are mere stalkers on the beach. The wars here have been far more the result of interference of intruders than the fault of the inhabitants.

Sir Hercules Robinson.—As to the Land Question, I have been sorry to hear that some misapprehension exists with regard to what might be the intentions of Her Majesty's Government with respect to land, which misapprehension, I am told, has arisen in consequence of the reports of a recent discussion in the House of Lords. You may be perfectly certain that nothing unjust will be done. What has occurred to me as the fairest way of arranging this matter I have this morning discovered to be included in the code of laws of the Law Confederacy, namely, that all lands which can be shown to have been fairly and honestly acquired by whites shall be secured to them; that all lands which are now in the actual use or occupation of any Chief or tribe, and such land as may be necessary for the probable future support and maintenance of any Chief or tribe, shall be set apart for them; and that all the residue of the land shall go to the Government, not for the personal advantage of Her Majesty, or the members of any Government, but for the general good—for the purposes of rule and order. The more public land there is, the less necessity for taxation, and the less burdensome to the people will be the maintenance of police, the administration of justice, the building of hospitals and other places of public charity. For such purposes as these—not for the purpose of adding to the wealth of the Queen—is it a matter of necessity to have public land.

Thakombau.—I am very much pleased to hear your sentiments as to the Land Laws, and that disputed titles will be finally adjusted. In some cases, both sides, I fear, will suffer; but it is better that such questions should be set at rest, even at the cost of a little suffering.

Of one thing I am assured, that if we do not cede Fiji, the white stalkers on the beach, the cormorants, will open their maws and swallow us.

The white residents are going about influencing the minds of Tui Thakau and others, so as to prevent annexation, fearing that in case order is established, a period may be put to their lawless proceedings.

By annexation the two races, white and black, will be bound together, and it will be impossible to sever them. The "interlacing" has come. Fijians, as a nation, are of an unstable character, and a white man who wishes to get anything out of a Fijian, if he does not succeed in his object to-day will try again to-morrow, until the Fijian is either wearied out or over-persuaded, and gives in. But law will bind us together, and the stronger nation will lend stability to the weaker.

In Fiji there are two elements besides us, namely, the whites and Maafu.

Maafu's desire has been and is to conquer Fiji. Some years ago he took possession of an island south of the Rewa, and sent an insulting message to me, to the effect that "Fiji is now divided, but when I take Rewa it will be united;" that is, under his own government. I disliked his policy, not his race. When he joined us the dislike ceased on my side. This is my mind. It is otherwise with him. Since he has joined the present Government he has found it impossible to carry out his plans, so he is trying to foment discords so as to prevent cession, and thereby further his own ends.

I wish to tell you this ; it is a fact. Your presence as the Representative of Her Majesty is sufficient guarantee for peace.

Sir Hercules Robinson.—Any difficulty with Maafu or any other Chief would cease with cession. You and Maafu, and all, would become subjects of the Queen.

Thakombau.—Maafu has done us a great deal of harm. His plan is to set us one against another. Maafu's sole object is to sow the seeds of disaffection. All that has now passed away with the arrival of the Governor. There is yet one other thing that I wish to say. I wish your Excellency to lend no ear to people, whoever they may be—missionaries or others—who may seek to set you against Mr. Thurston. He has a good many enemies who will not hesitate to say all bad things of him, but I wish to say that he is a good man, and has been a faithful servant to me, and to Fiji and my people. He is the one man whom I trust before any one else, and the Chiefs repose entire confidence in him.

Sir Hercules Robinson.—I am very glad to hear you give Mr. Thurston so good a character. You may depend upon it that I shall not listen to any adverse reports that may come to my ears, but shall see him and form my own judgment of his character without allowing any external influences to bias my judgment."

The conversation then became informal, and the interview was shortly afterwards brought to a close.

[The above Report is transcribed from notes of the interview taken by Walter Hely-Hutchinson, Special Attaché to the Mission.]

Inclosure 3 in No. 2.

Minute of Proceedings at a Visit paid by Sir Hercules Robinson to Thakombau, at Nasova, on the 30th of September 1874, in order to hear Thakombau's reply to certain questions addressed to him by Sir Hercules Robinson at a Meeting held on board Her Majesty's ship "Dido," at Levuka, on the 25th of September, 1874.

AFTER some preliminary observations Mr. Wilkinson, the interpreter, read a paper in the Fijian language, embodying the resolution arrived at by a Council of Chiefs holden at Nasova on the 29th of September, 1874, and a copy of which is appended hereto.

Mr. Wilkinson then read an English translation of the same paper, in the following words :—

"We, King of Fiji, together with the High Chiefs of Fiji, hereby give our country, Fiji, unreservedly to Her Britannic Majesty Queen of Great Britain and Ireland, and we trust and repose fully in her that she will rule Fiji justly and affectionately, that we may continue to live in peace and prosperity. And we, desiring that these Conferences may terminate well and satisfactorily, request Her Britannic Majesty's Ambassador unto us, Sir Hercules George Robert Robinson, will confer with our advisers who have our confidence in these matters."

Thakombau then signed the paper.

Sir Hercules Robinson then said,—I accept in the Queen's name this cession in the spirit in which it is offered. I think that in this matter the King has acted the part of a great Chief in consulting, as he has done, only the interests of his country. From my heart I hope that British rule may be productive of prosperity to Fiji, and of peace and happiness to her people.

Mr. Wilkinson then read a Fijian translation of the Deed of Cession, and the Deed was then signed by the following Chiefs :—

Thakombau, Tui Viti, and Vunivalu, Ratu Epeli, Nailatikau, Vakawalitabua, Tui Bua, Savenaca Naulivon, Ezekeli Tabakoncora.

Sir Hercules Robinson then said that he would execute the Deed as soon as it had been signed by the remainder of the Chiefs ; that he was about to start for Loma-Loma in the afternoon, and that on his return, after having obtained the signatures of the remaining ruling Chiefs, he would sign the Deed, and organize a Provisional Government. In the meantime he wished Thakombau to carry on the Government as heretofore.

The Conference then broke up.

(Signed)

WALTER HELY-HUTCHINSON.

Appendix (A).

Kivua na Marama na Tui Peritania.

KEIMAMI na Tui Viti, vata kei iva na turaga lelevu kai Viti Keimami so solia Viti walega vua na Marama levu kai dau loloma mai Peritania Levu kei Airaladi ni keimami sa

Vakararavi savu ni na lewai Viti Vaka dodonui e na veilomani, me yaco Fu ga na tiko vinaka.

To Keiton keveu vua na kovunu ko Sir Hercules Robinson na nona Falai na Marama me rogoca iva na neiton vei vuki e na ka eso era na Fukuma vua ni keimami su vakuvavari vei iva ka gara me kima vinuka na vei vosaki ogo.

(Signed) CAKOBANU R.

(Translation.)

WE, King of Fiji, together with other High Chiefs of Fiji, hereby give our country, Fiji, unreservedly to Her Britannic Majesty, Queen of Great Britain and Ireland. And we trust and repose fully in her that she will rule Fiji justly and affectionately, that we may continue to live in peace and prosperity.

And we, desiring these Conferences may terminate well and satisfactorily, request Her Britannic Majesty's Ambassador, Sir Hercules George Robert Robinson, will confer with our Advisers, who have our confidence in these matters.

Appendix (B).

Instrument of Cession of the Islands of Fiji by Thakombau, styled Tui Viti and Vunivalu, and by the other high Chiefs of the said Islands, to Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

WHEREAS divers of the subjects of Her Majesty the Queen of Great Britain and Ireland have, from time to time settled in the Fijian group of Islands, and have acquired property or certain pecuniary interests therein; and whereas the Fijian Chief Thakombau, styled Tui Viti, and Vunivalu, and the other high native Chiefs of the said islands are desirous of securing the promotion of civilization and Christianity, and of increasing trade and industry within the said islands; and whereas it is obviously desirable in the interests, as well of the native as of the white population, that order and good government should be established therein; and whereas the said Tui Viti and other high Chiefs have conjointly and severally requested Her Majesty the Queen of Great Britain and Ireland aforesaid to undertake the Government of the said islands henceforth; and whereas, in order to the establishment of British Government within the said islands, the said Tui Viti and others, the several high Chiefs thereof, for themselves and their respective tribes, have agreed to cede the possession of, and the dominion and sovereignty over, the whole of the said islands and over the inhabitants thereof, and have requested Her said Majesty to accept such cession—which cession the said Tui Viti and other high Chiefs, relying upon the justice and generosity of Her Majesty, have determined to tender unconditionally, and which cession, on the part of the said Tui Viti and other high Chiefs, is witnessed by their execution of these presents and by the formal surrender of the said territory to Her said Majesty; and whereas his Excellency Sir Hercules George Robert Robinson, Knight Commander of the most Honourable Order of St. Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the British Colony of New South Wales and its dependencies, and Governor of Norfolk Island, hath been authorized and deputed by Her said Majesty to accept, on her behalf, the said cession:

Now these presents witness—

1. That the possession of, and full sovereignty and dominion over, the whole of the group of islands in the South Pacific Ocean known as the Fijis (and lying between the parallels of latitude of 15° south and 22° south of the equator, and between the meridians of longitude of 177° west and 175° east of the meridian of Greenwich), and over the inhabitants thereof, together with the possession of and sovereignty over the waters adjacent thereto, and of and over all ports, harbours, havens, roadsteads, rivers, estuaries, and other waters, and all reefs and foreshores within or adjacent thereto, are hereby ceded to, and accepted on behalf of, Her Majesty the Queen of Great Britain and Ireland, her heirs and successors, to the intent that from this time forth the said islands and the waters, reefs, and other places as aforesaid, lying within the said islands, or adjacent thereto, may be annexed to and be a possession and dependency of the British Crown.

2. That the form or constitution of Government, the means of the maintenance thereof, and the laws and regulations to be administered within such islands, shall be such as Her Majesty shall prescribe and determine.

3. That, pending the making by Her Majesty as aforesaid of some more permanent provision for the Government of the said islands, his Excellency Sir Hercules George Robert Robinson, in pursuance of the powers in him vested, and with the consent and at the

request of the said Tui Viti and other high Chiefs, the ceding parties hereto, shall establish such temporary or provisional Government as to him may seem meet.

4. That the absolute proprietorship of all lands not shown to be now alienated so as to have become the *bonâ fide* property of Europeans or other foreigners, or not now in the actual use or occupation of some Chief or tribe, or not actually required for the probable future support and maintenance of some Chief or tribe, shall be, and is hereby declared to be, vested in Her said Majesty, her heirs and successors.

5. That Her Majesty shall have power, wherever it shall be deemed necessary for public purposes, to take any lands upon payment to the proprietor of a reasonable sum by way of compensation for the deprivation thereof.

6. That all now existing public buildings, houses, and offices, all enclosures and other pieces or parcels of land, now set apart or being used for public purposes, and all stores, fittings, and other articles now being used in connection with such purposes, are hereby assigned, transferred, and made over to Her said Majesty.

7. That on behalf of Her Majesty his Excellency Sir Hercules George Robert Robinson promises (1) that the rights and interests of the said Tui Viti and the other high Chiefs, the ceding parties hereto, shall be recognized so far as is and shall be consistent with British sovereignty and Colonial form of Government; (2) that all questions of financial liabilities and engagements shall be carefully scrutinized and dealt with upon principles of justice and sound public policy; (3) that all claims to title to land by whomsoever preferred, and all claims to pensions or allowances, both on the part of the said Tui Viti and other high Chiefs, and of persons now holding office under them or any of them, shall in due course be fully investigated and equitably adjusted.

In witness whereof, the whole of the contents of this Instrument of Cession having been, previously to the execution of the same, interpreted and explained to the ceding parties hereto by David Wilkinson, Esquire, the interpreter nominated by the said Tui Viti and the other high Chiefs, and accepted as such interpreter by the said Sir Hercules George Robert Robinson, the respective parties hereto have hereunto set their hands and seals.

Done at Levuka this day of in the year of our Lord 1874.

Inclosure 4 in No. 2.

Minutes of Proceedings at a Meeting between Sir Hercules Robinson, Thakombau, Maafu, and Tui Thakau, held on board Her Majesty's ship "Pearl," at Loma-Loma, on the 2nd of October, 1874.

AFTER some informal remarks, Sir Hercules Robinson said that he supposed that the King had explained to Maafu what had taken place at Levuka, and inquired whether he was of the same mind as he was when he gave the Commodore his letter of the 12th of March.

Maafu replied that he was of the same opinion.

Sir Hercules Robinson then inquired whether Tui Thakau understood the state of affairs, and whether he wished to cede Fiji unconditionally to the Queen.

Tui Thakau replied that he was of the same opinion as the rest of the Chiefs, and that he was thankful for what he had heard.

Sir Hercules Robinson then requested Mr. Wilkinson, the interpreter, to read the Fijian translation of the deed of cession.

Mr. Wilkinson then read the translation of the deed of cession.

The original instrument of cession was then signed by Maafu and Tui Thakau.

The conversation then became informal, and the meeting shortly afterwards closed.

(Signed) WALTER HELY-HUTCHINSON.

Inclosure 5 in No. 2.

Question by Ratu Savenaca.

ASSUMING that our lands are settled as sketched by Mr. Thurston, and which is in fact an arrangement of our own when the Government was first established, what are we to expect or understand as regards those lands which are either ours (privately) now, or may be. when the boundaries of town (village) lands be settled, be the property of a village or gali?

(a.) Are we at liberty to sell, assign, or bequeath the first as we please, or will the Crown claim a right of pre-emption?

(b.) Will the Crown claim any pre-emptive right over our tribal or common land? that is to say, those lands to be hereafter settled as set apart for the use of the people, or will the occupants be at liberty to sell or lease independently of the Crown?

No. 3.

The Earl of Carnarvon to Sir Hercules Robinson, K.C.M.G.

Sir,

Downing Street, December 10, 1874.

I HAVE the honour to acknowledge the receipt of your Report of the 3rd of October,* containing an account of the progress of negotiations since your arrival at Levuka, and transmitting, with other documents, a copy of the Instrument of Cession by which the Fiji Islands were formally given over to Her Majesty.

2. I have laid your despatch before the Queen, who has read it with interest, and Her Majesty commands me to convey to you her approval of the ability, discretion, and energy with which you have conducted this transaction to a successful and satisfactory issue.

3. Writing, as I do at present, without full information as to the details of your arrangements for the temporary administration of the Government, I can, of course, only express in general terms my opinion of their apparent adequacy to meet the requirements of the case, but I feel so much confidence in your judgment, that I am satisfied that the dispositions which you have made will, when explained and laid before me in full, be found calculated to enable the more permanent administration of the Government to be entered upon with the least possible difficulty, and with all reasonable promise of success.

4. I have already expressed my thanks to your Ministers for their ready and valuable co-operation in this important matter, but I must also request you to convey to Mr. Innes, the Attorney-General of New South Wales, who accompanied you in the capacity of legal adviser, my appreciation of the able assistance which he rendered to you.

I have, &c.

(Signed) CARNARVON.

No. 4.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

"Pearl," Levuka, Fiji, October 11, 1874.

IN continuation of my despatch* sent on the 3rd instant from the Island of Taviumi, I have now the honour to report that I went from thence along the north coast of Vanua Levu, touching at Nanduri and Mathuata. Here we found that a tribal war had a few days before broken out between the rival Chiefs Ritova and Katonivere, which had resulted in loss of life and considerable destruction of property. Our arrival at the moment with Thakombau and two ships of war was opportune. Thakombau at once sent for all the parties concerned; explained to them what had taken place in Levuka and Loma-Loma, and that he was going round the group to make arrangements for the transfer of the government of the country to the Queen. He ordered both contending parties to disperse forthwith to their homes, and to take down the war fences. He also carried away with him, in the "Dido," the two Chiefs Ritova and Katonivere, with a view of investigating their conduct in Levuka, with the assistance of the other ruling Chiefs.

2. Peace having thus been restored on the Mathuata coast, we proceeded round the north-west point of Vanua Levu to Bua, where we landed, inspected a portion of this well-governed native province, and took away with us the Chief Tui Bua, to be present at the proposed gathering of all the Chiefs in Levuka, with a view to the formal transfer of the country to the British Crown.

3. On the 7th of October I returned to Levuka, and on the 10th I proceeded by appointment to the Government Buildings at Nasova, where all the Chiefs who had not previously signed the Deed of Cession attached their names and seals to the instrument, which was then executed by me, and a counterpart handed to Thakombau, to be retained by himself and the other high Chiefs as a record of the transaction.

4. I then publicly declared Fiji to be from that time forth a Possession and Dependency of the British Crown, and hoisted the British flag with the usual formalities. I

inclose a minute of the proceedings, in which will be found a description of an interesting incident which occurred when Thakombau presented to me his favourite war club, for transmission to Her Majesty.

5. Upon the afternoon of the same day I issued the first "Government Gazette" of the Colony of Fiji, copies of which are herewith inclosed. It contains a Proclamation declaring Fiji to be a British Dependency, and announcing that I had assumed the temporary administration of the Government of the Islands until Her Majesty's pleasure could be made known as to the constitution of the permanent Government of the Colony. I published in the same Gazette, for general information, in both English and Fijian, copies of the Resolution adopted by the Chiefs assembled in Council, giving Fiji unreservedly to the Queen, and of the Deed of Cession which had that day been executed at Nasova.

6. In a subsequent despatch I will report to your Lordship the arrangements which I may make for the establishment of a provisional Administration, pending the notification of Her Majesty's pleasure as regards the permanent Government of these Islands.

I have, &c.

(Signed) **HERCULES ROBINSON.**

Inclosure in No. 4.

Notes of Proceedings at a Meeting between Sir Hercules Robinson and Thakombau, and other high Chiefs of Fiji, held at Nasova on the 10th of October, 1874.

ACCORDING to previous arrangements, Sir Hercules Robinson, accompanied by Commodore Goodenough, landed at the pier at Nasova at 2.30 P.M., and immediately repaired to the Council room, where he was received by Thakombau and the other high Chiefs of Fiji. Mr. Wilkinson, the interpreter, then read the resolution of the Chiefs in Council of the 30th of September, 1874, and the translation of the instrument of cession.

The instrument of cession was then signed by the following Chiefs in addition to those who had previously signed it, namely, Roko Tui Dreketi, Nacagilevu, Ratu Kini, Ritova, Katunivere, and Matanitobua.

Sir Hercules Robinson then affixed his signature and seal to the original instrument and to a duplicate deed, which latter was handed to Thakombau for the use and future reference of himself and the Chiefs of Fiji.

Thakombau then said that he had that morning dictated to Mr. Thurston a few words which he wished to say to his Excellency, and he begged that Mr. Thurston might be allowed to interpret his sentiments upon the matter to which he desired to refer.

Mr. Thurston then said:

"Your Excellency,—Before finally ceding his country to Her Majesty the Queen of Great Britain and Ireland, the King desires, through your Excellency, to give Her Majesty the only thing he possesses that may interest her.

"The King gives Her Majesty his old and favourite war-club, the former, and, until lately, the only known law of Fiji.

"In abandoning club law, and adopting the forms and principles of civilized societies, he laid by his old weapon and covered it with the emblems of peace. Many of his people, whole tribes, died and passed away under the old law, but hundreds of thousands still survive to learn and enjoy the newer and better state of things. The King adds only a few words. With this emblem of the past he sends his love to Her Majesty, saying that he fully confides in her and in her children who, succeeding her, shall become Kings of Fiji, to exercise a watchful control over the welfare of his children and people, and who, having survived the barbaric law and age, are now submitting themselves, under Her Majesty's rule, to civilization."

The King then handed the club to his Excellency, who informed Thakombau that he would not fail to transmit to the Queen the historic gift which he desired to present to her, and that he would at the same time communicate to Her Majesty verbatim the trustful and gratifying message by which the gift was accompanied.

The meeting was then adjourned to the front of the house. Having arrived there, Sir Hercules Robinson addressed the persons there assembled round the flag-staff as follows:—

"Tui Viti, Commodore Goodenough, and gentlemen,—The legal forms for the transfer of the government of this country to the Queen have just been completed, and will be made public through the medium of the 'Gazette' in the course of a few hours. It now, therefore, only remains for me to declare Fiji to be, from this time forward, a possession and a dependency of the British Crown.

"I fervently trust that this important step will tend to develop the great natural

capabilities of these beautiful and fertile islands, and at the same time conduce largely to the contentment and happiness of all classes of the population.

"I hope, too, that past differences and disagreements will henceforth be forgotten, and that all local animosities will this day be buried at the foot of the staff on which we are now about to hoist the British flag."

The Fijian flag was then hauled down, and the Royal Standard hoisted in its stead; upon which Her Majesty's ship "Pearl" manned yards, and fired a salute of 21 guns. The small-arm men of the "Dido," and the marines of both ships (who had been previously landed) and a company of the Fijian constabulary, presented arms, and the "Pearl's" band played "God save the Queen."

The marines then fired a "feu-de-joie." Cheers having been given, first for Her Majesty the Queen, and then for Sir Hercules Robinson, His Excellency said:—

"Gentlemen, I have now to propose that you give three cheers for the Tui Viti, who has throughout these negotiations conducted himself in a manner which proves him to be worthy of the name of great chief; consulting, as he has done, not his own personal interests, but the welfare alone of his people and of his country."

The spectators then cheered vociferously. His Excellency then took leave of Thakombau, and shortly afterwards returned on board Her Majesty's ship "Pearl."

(Signed) **WALTER HELY HUTCHINSON,**
Attaché to the Mission.

No. 5.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

"Pearl," Fiji, October 11, 1874.

I HAVE the honour to report, that after the formal execution yesterday by all the Chiefs of the Deed of Cession, Thakombau stated that he desired to say a few words to me, and asked that Mr. Thurston, to whom he had that morning explained his wishes, might be allowed to interpret them. Mr. Thurston then said:—

"Your Excellency, before finally ceding his country to Her Majesty the Queen of Great Britain and Ireland, the King desires, through your Excellency, to give to Her Majesty the only thing he possesses that may interest her.

"The King gives Her Majesty his old and favourite war club, the former, and, until lately, the only known law of Fiji.

"In abandoning club law, and adopting the forms and principles of civilized societies, he laid by his old weapon, and covered it with the emblems of peace. Many of his people, whole tribes, died and passed away under the old law, but hundreds of thousands still survive to learn and enjoy the newer and better state of things. The King adds only a few words. With this emblem of the past, he sends his love to Her Majesty, saying that he fully confides in her and her children, who, succeeding her, shall become Kings of Fiji, to exercise a watchful control over the welfare of his children and people, who, having survived the barbaric law and age, are now submitting themselves, under Her Majesty's rule, to civilization."

Thakombau then handed the club to me; and I informed him that I would not fail to transmit it to the Queen, and would at the same time convey to Her Majesty, through your Lordship, the message which he desired should accompany the gift.

I will forward the box containing the club by the first convenient opportunity.

I have, &c.

(Signed) **HERCULES ROBINSON.**

No. 6.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

"Pearl," Levuka, Fiji, October 16, 1874.

THE formalities for the transfer of the sovereignty of these islands to Her Majesty having been completed on the 10th instant, I proceeded at once, as authorized by your Lordship, to authorize a temporary administration, pending provision being made by Letters Patent or Order in Council for the permanent Government of the Colony. The accompanying "Fiji Gazettes," numbered 1 to 6 consecutively, will show fully in detail the various measures adopted by me for this purpose.

2. The question as to how provision could best be made for supervising the temporary administration of the Government gave me much consideration. There was no person in Fiji who had had any experience of a Crown Colony. It was clear to me, too, that much would depend upon the manner in which affairs were conducted upon the first

establishment of British rule, and that it would have been scarcely practicable for your Lordship's Department to have exercised any effectual control over the Provisional Government if I had placed it in direct communication with Downing Street. I therefore determined, as Sydney is now connected by means of regular monthly steamers with Levuka, and is at the same time in telegraphic communication with London, to retain in my own hands, for the present, a general supervision over the temporary administration of the newly-established Colony.

3. As I had no information whatever respecting the intentions of Her Majesty's Government with regard to the future disposal of the services of Mr. Layard, the Consul for Fiji and Tonga, I requested him to continue to act as Consul for Tonga, and at the same time to accept the unpaid offices of Vice-President of the Executive Council and Administrator of the Government in my absence, drawing, as heretofore, his emoluments from the Foreign Office until your Lordship had had an opportunity of determining upon the permanent establishments for Fiji, and the Foreign Office should decide as to the Tongan Consulship. This Mr. Layard at once acceded to, so that, for the present, as will be seen on a reference to the accompanying papers, the revenues of the Colony are not subjected to any charge for either the Governor or the Administrator of the Government.

4. In like manner I requested Mr. Innes, the Attorney General of New South Wales, by whom I am accompanied, to accept a seat in the Executive Council without office, both for the benefit of the assistance which he could render me while here, and also to enable me, on my return to New South Wales, to obtain the advantage of his legal knowledge and sound judgment in all Fiji matters which may be transmitted for my decision.

5. I completed the Executive Council by the appointments, as will be seen from Gazette No. 1, of Mr. Thurston as Colonial Secretary, Mr. Horton as Treasurer, and Mr. Swanston as Secretary for Native Affairs, assigning to each a salary for the present of 400*l.* a year. These appointments appear to give general satisfaction. Mr. Thurston is certainly the fittest person in Fiji to act as Colonial Secretary. He is intimately acquainted with the circumstances and requirements of the group; he is a good Fijian scholar, and he served as Acting Consul here for some years to the entire satisfaction, I understand, of the Foreign Office. Mr. Horton is the Manager of the Fijian Banking Company, and a gentleman upon whose integrity the utmost reliance may be placed. The arrangement, too, will effect a considerable saving, as the receipts and disbursements of the Government will be made through the Bank, thus rendering unnecessary the services of more than one subordinate Treasury Officer, an Accountant. Mr. Swanston held the office of Minister for Native Affairs under the Constitutional Government of Fiji, and has the reputation of being an honest, independent man, sincerely desirous of advancing the interests of the native population of the country. Amongst these three officers I have distributed the supervision of all the administrative and judicial departments of the Government, dividing the functions in the manner which will be found specified in a notification published in the Gazette of the 13th instant, No. 2.

6. In the Judicial Department I have been enabled to make considerable reductions. The office of Chief Justice and Chancellor of the Kingdom has been allowed to lapse; and I have appointed one officer to discharge the duties of Judge of the Central Court of Fiji and Chief Magistrate of the Colony. All the offices established under this head will be found specified in the "Gazette" of the 14th instant (No. 5); and I need merely remark here that the saving on the Judicial Department amounts to over 800*l.* a year, as compared with the expenditure under that head during the *ad interim* arrangement which I found in existence on my arrival.

7. The native armed constabulary appeared to me to stand in need of immediate reorganization. Grave statements have been publicly urged against the men of this force, charging them with outrages and cruelties perpetrated upon the helpless population of the country districts, especially upon women; and I fear that too many of these charges were well founded. It was clear to me that the force should at once be considerably reduced in numbers, and placed under strict supervision and control. I accordingly determined to reduce the strength to 200 picked men—a number amply sufficient to maintain order throughout the whole group—and to place the force under the superintendence of Lieutenant Olive, of the Royal Marines, whose services were kindly placed at my disposal by Commodore Goodenough for this purpose. I inclose a copy of the correspondence which I have had with Commodore Goodenough on this subject. I may add that Lieutenant Olive appears to me to combine firmness of character with gentleness of disposition to an extent which has already endeared him to the natives, and which renders him peculiarly fitted for the delicate and responsible

position in which he is placed. The total cost of police, including rations, clothing, &c., will amount to but little more than 3,000*l.* a year.

8. The appointments necessary for the efficient administration of native affairs received my careful consideration. Eventually I determined, with the advice of the Executive Council, upon the following departmental arrangements: four European Stipendiary Magistrates have been created for the trial of European and mixed cases throughout the whole group. The districts and places at which Courts are to be held will be found specified in Schedule A, attached to Gazette No. 6 of the 15th instant. The islands were next divided into twelve provinces, over each of which a Provincial Chief styled Roko and a native Stipendiary Magistrate were appointed. These provinces were next sub-divided into eighty-two districts in charge of Bulis, each Buli being placed in the first, second, or third class, according to the number of villages under his control. By this machinery it is believed that arrangements can be made for the efficient government of the natives, under the general supervision of the Secretary for Native Affairs, without departing in any important particular from their own official customs, traditions, and boundaries. The total cost of the Department, including the salary of the Protector of Imported Polynesian Labourers, amounts to a little more than 5,800*l.* a year. I inclose a map showing the boundaries of the twelve provinces, and Schedules B, C, and D, in the Appendix to the Estimates, will furnish the names of the twelve Rokos, the twelve Native Stipendiary Magistrates, and the eighty-two Bulis, with the name of the province or district in charge of each.

9. The remaining subordinate provisional appointments, which will all be found detailed in Gazette No. 5, do not appear to me to call for any remark. The salaries have in each case been fixed at the lowest practicable amount consistent with the efficiency of the public service. The total cost of all the establishments of the Colony amounts, as will be seen by the return published in Gazette No. 6, to 13,568*l.* per annum, and the services, exclusive of establishments, to 4,334*l.*, making the total authorized expenditure for Fiji, for the year ending 10th October, 1875, at the rate of 17,902*l.* per annum.

10. Gazette No. 2 contains the Customs tariff and other dues and taxes, which, with the advice of the executive Council, I authorized the Provisional Government to collect. The former tariff was composed almost entirely of *ad valorem* duties, which here, as elsewhere, have been found to be unequal as well as demoralizing in their application. The total receipts of the Customs duties of Fiji for the year ended 30th September, 1874, amounted to 10,254*l.* I determined to substitute for this tariff the tariff lately adopted in New South Wales, and which is composed entirely of specific duties on about forty-five articles of general consumption. It is estimated that this tariff will produce in Fiji a revenue of about 15,000*l.* a-year. The tonnage dues have been abolished, and pilotage rates, light dues, and annual licenses, continued at the same rate as heretofore, the only increase being a license fee of 10*l.*, instead of 2*l.* 10*s.*, upon Polynesian immigrant vessels for each voyage, it being thought fair to make these vessels contribute to a larger extent than formerly to the expense of the supervision which it is necessary to exercise over the foreign labour traffic.

11. An entire change has been made in the system of native taxation. Heretofore the amount of the tax was uniform throughout the group, being 20*s.* for each man, and 4*s.* for each woman. There being little ready money amongst the natives, payment has been accepted in kind, and the tax collector has been accompanied by a broker whose custom it was to take over at a low valuation the agricultural produce, fishing nets, sleeping mats, axes, &c., and other articles of domestic use and convenience which the people had to part with and sacrifice to meet the demands of the Government. In some districts the people were too poor to be able to satisfy the tax even in this manner; and painful accounts have recently been published in the newspapers as to the wholesale way in which the entire male population of large districts have been removed from their homes, and their services in effect sold to such of the European planters as were willing to pay to the Government the tax, with the costs that had accrued in instituting legal proceeding for its recovery. I inclose some letters extracted from the local press upon this subject, and to which my attention was directed soon after my arrival. I particularly would invite your Lordship's perusal of a letter published in the "Fiji Times" of the 7th October, under the signature of Dr. Langham, the head of the Wesleyan Mission in Fiji. Dr. Langham called upon me and narrated to me atrocities and cruelties in connection with the Government system of raising the native taxes, for the truth of which he stated that he was prepared to vouch. These representations convinced me of the necessity of making a change in the amount of the native tax and the mode of enforcing it. I accordingly determined that women should be exempt; that the tax in

kind should not be enforced; that every male Fijian between the ages of 16 and 60 should contribute twenty days' labour upon the public works of his province, being allowed to commute his service for 6*d.*, 4½*d.*, or 3*d.* a-day, *i.e.*, 10*s.*, 7*s.* 6*d.*, or 5*s.*, according to the local circumstances of the district wherein he may reside. A capitation tax of 10*s.* on each imported Polynesian labourer is also imposed, such tax to be paid quarterly by the employers.

12. I directed further that all native taxes in arrear at the date of cession should be remitted, and that all Fijians who as defaulting taxpayers had been removed from their homes and placed in service with European settlers should forthwith be liberated, the planters being compensated for any sum paid on account of the tax due by each labourer less the value of the time actually served. The notifications embodying all these regulations as regards native taxes will be found at page 9 of Gazette No. 2.

13. Gazette No. 6 publishes for general information a Return showing the estimated revenue and authorized expenditure of the Colony for the year ending 10th October, 1875. The revenue is estimated at 23,875*l.*, and the authorized expenditure amounts to 17,902*l.*, showing an excess of estimated revenue over authorized expenditure of 5,973*l.* I should mention, however, that the expenditure only provides for the payment of Thakombau's allowance at the reduced rate of 900*l.*, which he received during the *ad interim* Consular Government, and it makes no provision for a salary for the Governor, upon both of which points I propose to address your Lordship in a subsequent despatch.

14. Gazette No. 3 contains a Proclamation making provision for the administration of criminal and civil justice in Fiji, pending the signification of Her Majesty's pleasure as regards the permanent laws of the Colony.

15. Gazette No. 4 provides for the regulation and control of the hiring and service of Polynesian immigrants, and the carrying of such immigrants on board vessels. It also notifies the appointment of twenty gentlemen to be Justices of the Peace for the Colony of Fiji.

16. With a view to avoid further complications of the land question by persons speculating in doubtful titles of both Europeans and natives, I caused a notification to be inserted in the Gazette intimating that no sale, transfer, or assignment of land, or of any interest therein made subsequent to the date of cession, will be recognized by the Government pending the settlement of existing titles to land. This notification will be found at page 9 of Gazette No. 2.

17. Having thus completed all the arrangements necessary for the establishment of a Provisional Government, I propose leaving Fiji this afternoon for Sydney, and hope to arrive there nearly a week in advance of the date originally contemplated for my return.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 6.

The "Fiji Government Gazette" of October 10, 1874.

Fiji, to wit.

(Signed) HERCULES ROBINSON, Governor.

Proclamation by his Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its Dependencies, Governor of Norfolk Island, and provisionally Governor of Fiji.

WHEREAS by an instrument of Cession bearing date the 10th of October, A.D. 1874, duly executed under their respective hands and seals, Thakombau, styled Tui Viti and Vuni Valu, and the other high Chiefs of Fiji, for themselves and their respective tribes, have voluntarily and unconditionally ceded to Her Most Gracious Majesty Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c., &c., &c., possession of and full sovereignty and dominion over the Fijian group of Islands, and over the inhabitants thereof; And whereas I,

Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its Dependencies, and Governor of Norfolk Island, in pursuance of the powers and authority in me vested, have, in the name and on behalf of Her Majesty, accepted such Cession :—

Now I, the said Hercules George Robert Robinson, in pursuance of the said Cession, and in pursuance and by virtue of the powers and authority in me vested, do hereby proclaim the whole of the group of Islands in the South Pacific Ocean known as the Fijis, and lying between the parallels of latitude of fifteen degrees south, and twenty-two degrees south of the Equator, and between the meridians of longitude of one hundred and seventy-seven degrees west, and one hundred and seventy-five degrees east of the meridian of Greenwich, to be from this time forth a possession and dependency of the British Crown.

And I do hereby further proclaim that I have, by virtue and in pursuance of the powers and authority in me vested, this day assumed, in the name and on behalf of Her Majesty, the temporary Administration of the Government of the said Islands, until the pleasure of Her Majesty shall be made known as regards the constitution and permanent Government of the Colony.

Given under my hand and seal, at Nasova, this tenth day of October, in the year of our Lord One thousand eight hundred and seventy-four, and in the thirty-eighth year of Her Majesty's reign.

God save the Queen !

Nasova, Fiji, October 10, 1874.

His Excellency the Governor directs the publication, for general information of the following documents :—

(I.)

(Translation.)

Resolution of Thakombau, Tui Viti, and Vunivalu, and other high Chiefs of Fiji, in Council assembled, handed by them to his Excellency Sir Hercules George Robert Robinson, at an interview held at Nasova, on Wednesday, September 30, 1874 :—

Unto Her Majesty Queen of Great Britain,

WE, King of Fiji, together with other high Chiefs of Fiji, hereby give our country, Fiji, unreservedly to Her Britannic Majesty, Queen of Great Britain and Ireland; and we trust and repose fully in her that she will rule Fiji justly and affectionately, that we may continue to live in peace and prosperity.

And we, desiring these Conferences may terminate well and satisfactorily, request Her Britannic Majesty's Ambassador unto us, Sir Hercules George Robert Robinson, will confer with our advisers who have our confidence in these matters.

(Signed) D. WILKINSON, *Chief Interpreter.* (Signed) CAKOBAN R.

(II.)

Instrument of Cession of the Islands of Fiji by Thakombau, styled Tui Viti and Vunivalu, and by the other high Chiefs of the said Islands, to Her Most Gracious Majesty Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c., &c., &c.

WHEREAS divers subjects of Her Majesty the Queen of Great Britain and Ireland have from time to time settled in the Fijian group of Islands, and have acquired property or certain pecuniary interests therein; And whereas the Fijian Chief Thakombau, styled Tui Viti and Vunivalu, and other high Chiefs of the said Islands, are desirous of securing the promotion of civilization and Christianity, and of increasing trade and industry within the said Islands; And whereas it is obviously desirable in the interests as well of the

native as of the white population that order and good government should be established therein; And whereas the said Tui Viti and other high Chiefs have conjointly and severally requested Her Majesty the Queen of Great Britain and Ireland aforesaid to undertake the government of the said Islands henceforth; And whereas, in order to the establishment of British government within the said Islands, the said Tui Viti and other the several high Chiefs thereof, for themselves and their respective tribes, have agreed to cede the possession of and the dominion and sovereignty over the whole of the said Islands, and over the inhabitants thereof, and have requested Her said Majesty to accept such cession; which cession the said Tui Viti and other high Chiefs, relying upon the justice and generosity of Her said Majesty, have determined to tender unconditionally, and which cession, on the part of the said Tui Viti and other high Chiefs is witnessed by the execution of these presents, and by the formal surrender of the said territory to Her said Majesty; And whereas his Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor, Commander-in-chief, and Vice-Admiral of the British Colony of New South Wales and its Dependencies, and Governor of Norfolk Island, hath been authorized and deputed by Her said Majesty to accept on her behalf the said cession:

Now these presents witness,

1. That the possession of and full sovereignty and dominion over the whole of the group of Islands in the South Pacific Ocean known as the Fijis (and lying between the parallels of latitude of fifteen degrees south, and twenty-two degrees south of the Equator, and between the meridian of longitude of one hundred and seventy-seven degrees west, and one hundred and seventy-five degrees east of the meridian of Greenwich), and over the inhabitants thereof, and of and over all ports, harbours, havens, roadsteads, rivers, estuaries, and other waters, and all reefs and foreshores within or adjacent thereto, are hereby ceded to and accepted on behalf of Her said Majesty the Queen of Great Britain and Ireland, her heirs and successors, to the intent that from this time forth the said Islands, and the waters, reefs, and other places as aforesaid, lying within or adjacent thereto, may be annexed to and be a possession and dependency of the British Crown.

2. That the form or constitution of Government, the means of the maintenance thereof, and the laws and regulations to be administered within the said islands, shall be such as Her Majesty shall prescribe and determine.

3. That, pending the making by Her Majesty as aforesaid, of some more permanent provision for the Government of the said islands, His Excellency Sir Hercules George Robert Robinson, in pursuance of the powers in him vested, and with the consent and at the request of the said Tui Viti and other high Chiefs, the ceding parties hereto, shall establish such temporary or provisional Government as to him shall seem meet.

4. That the absolute proprietorship of all lands, not shown to be now alienated, so as to have become *bona fide* the property of Europeans or other foreigners, or not now in the actual use or occupation of some Chief or tribe, or not actually required for the probable future support and maintenance of some Chief or tribe, shall be and is hereby declared to be vested in Her said Majesty, her heirs and successors.

5. That Her Majesty shall have power, whenever it shall be deemed necessary for public purposes, to take any lands upon payment to the proprietor of a reasonable sum by way of compensation for the deprivation thereof.

6. That all the existing public buildings, houses, and offices, all enclosures and other pieces or parcels of land now set apart, or being used for public purposes, and all stores, fittings, and other articles now being used in connection with such purposes, are hereby assigned, transferred, and made over to Her said Majesty.

7. That, on behalf of Her Majesty, His Excellency Sir Hercules George Robert Robinson promises (1), That the rights and interests of the said Tui Viti and other high Chiefs, the ceding parties hereto, shall be recognized, so far as is consistent with British sovereignty and colonial form of government. (2.) That all questions of financial liabilities and engagements shall be scrutinised, and dealt with upon principles of justice and sound public policy. (3.) That all claims to titles of land, by whomsoever preferred, and all claims to pensions or allowances, whether on the part of the said Tui Viti and other high Chiefs, or of persons now holding office under them or any of them, shall in due course be fully investigated and equitably adjusted.

In witness whereof, the whole of the contents of this instrument of cession having been, previously to the execution of the same, interpreted and explained to the ceding parties hereto, by David Wilkinson, Esq., the interpreter nominated by the said Tui Viti and the other high Chiefs, and accepted as such interpreter by the said Sir Hercules

George Robert Robinson, the respective parties hereto have hereunto set their hands and seals.

Done at Levuka, this 10th day of October, in the year of our Lord 1874.

(Signed)	(L.S.)	CAKOBAU, R. <i>Tui Viti and Vunivalu.</i>
	(L.S.)	MAAFU.
	(L.S.)	TUI CAKAU.
	(L.S.)	RATU EPELI.
	(L.S.)	VAKAWALETABUA, TUI BUA.
	(L.S.)	SAVENAKA.
	(L.S.)	ISIKELI.
	(L.S.)	ROKO TUI DREKETI.
	(L.S.)	NACAGILEVU.
	(L.S.)	RATU KINI.
	(L.S.)	RITOVA.
	(L.S.)	KATUNIVERE.
	(L.S.)	MATANITOBUA.

(Signed) (L.S.) HERCULES ROBINSON.

I hereby certify that, prior to the execution of the above instrument of cession, which execution I do hereby attest, I fully and faithfully interpreted and explained to the ceding parties hereto, the whole of the contents of the said document (the several interlineations on page , line , and on page , line of the manuscript having first been made), and that such contents were fully understood and assented to by the said ceding parties. Prior to the execution of the said instrument of cession, I wrote out an interpretation of the same in the Fijian language, which interpretation I read to the several Chiefs, who one and all approved thereof. A copy of such interpretation is hereto annexed, marked (A).*

Dated this 10th day of October, A.D. 1874.

(Signed) D. WILKINSON, *Chief Interpreter.*

Nasova, Fiji, October 10, 1874.

His Excellency the Governor has been pleased to make the following appointments, with a view to the temporary carrying on of the administration of the Government of the Colony of Fiji until the pleasure of Her Majesty shall be made known as regards the Constitution and permanent Government of the Colony :—

Edgar Leopold Layard, Esq., the Honourable Joseph George Long Innes, Esq., John Bates Thurston, Esq., Thomas Horton Esq., and Robert Sherson Swanston, Esq., to be members of the Executive Council of the Colony.

(Signed) HERCULES ROBINSON, *Governor.*

Nasova, Fiji, October 10, 1874.

His Excellency the Governor has been pleased to make the following provisional appointments, pending the notification of Her Majesty's pleasure as aforesaid :—

The Honourable Edgar Leopold Layard, Esq., to be Vice-President of the Executive Council and Administrator of the Government in the absence of the Governor.

The Honourable John Bates Thurston, Esq., to be Colonial Secretary and Auditor-General.

The Honourable Thomas Horton, Esq., to be Colonial Treasurer ; and

The Honourable Robert Sherson Swanston, Esq., to be Secretary for Native Affairs and Registrar-General.

By his Excellency's command,

(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Nasova, Fiji, October 10, 1874.

His Excellency the Governor has been pleased to make the following provisional appointments, pending the notification of Her Majesty's pleasure as aforesaid :—

The Honourable Walter Francis Hely-Hutchinson, to be his Excellency's Private Secretary for the transaction of the business of Fiji ;

* Not printed, being in the Fijian language.

David Wilkinson, Esq., to be Chief Interpreter to the Government;
Lieutenant Henry Olive, Royal Marine Light Infantry, to be Superintendent of Police.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Inclosure 2 in No. 6.

The "Fiji Government Gazette" of October 13, 1874.

Colonial Secretary's Office, Fiji, October 12, 1874.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to direct the establishment of the following Tariff, Dues, Fees, and Taxes:—

TARIFF.

	s.	d.		s.	d.
On all kinds of spirits imported into the Colony, the strength of which can be ascertained by Syke's hydrometer, the proof gallon	10	0	Turpentine, per gallon	1	0
On all spirits and spiritous compounds imported into the Colony, the strength of which cannot be ascertained by Syke's hydrometer, the liquid gallon	10	0	Varnish, per gallon	2	0
Methylated spirits, per gallon	2	0	Sago, ginger, jams, jellies, nuts of all kinds (except cocoanuts), preserves, biscuits, mustard, blue, dates, starch, maizena, and cornflower, per lb.	0	1
Wines, sparkling, per gallon	6	0	Dried, preserved, and salt fish, per lb.	0	1
Wines, other kinds, per gallon	4	0	Powder, blasting, per lb.	0	1
Sarsaparilla, if containing not more than 25 per cent. of proof spirits, per liquid gallon ..	4	0	Powder, sporting, per lb.	0	3
Beer, ale, porter, spruce, and other beers in wood or jar, per gallon	0	6	Shot, per cwt... .. .	5	0
Ditto, in bottles, per gallon	0	9	Lead, per cwt.	5	0
Cigars, per lb... .. .	5	0	Caps, percussion, per 1,000	1	0
Snuff, per lb.	2	0	Firearms, each	1	0
Tobacco, manufactured, per lb.	2	0	Woolpacks, each	0	3
Ditto, unmanufactured, per lb.	1	0	Bags and sacks, per dozen	1	0
Ditto, for sheepwash, per lb.	0	3	Gunny bags, per dozen	0	6
Opium, including all goods, wares, and merchandise mixed or saturated with opium, or with any preparation or solution thereof, or steeped therein, per lb.	10	0	Cheese, dried fruits, pepper, spices, bacon, and hams, per lb.	0	2
Coffee, chicory, cocoa, and chocolate, per lb..	0	3	Candles, per lb.	0	1
Tea, per lb.	0	3	Soap, per lb.	0	0½
Sugar, raw, per cwt.	5	0	Cement, per barrel	2	0
Ditto, refined, per cwt.	6	8	Bottled fruits (quarts), per dozen	2	0
Sugar, molasses, and treacle, per cwt.	3	4	Ditto (pints and smaller packages), per dozen ..	1	0
Malt, per bushel	0	6	Rice, per ton	60	0
Hops, per lb.	0	3	Iron wire, per ton	20	0
Comfits, confectionary, and succades, per lb. ..	0	1½	Salt and saltpetre, per ton	20	0
Cordage and rope, per ton	40	0	Soda crystals, per ton	20	0
Paints, per ton	40	0	Timber (dressed), per 100 feet superficial ..	2	0
Nails, per ton	40	0	Timber (rough and undressed), per 100 feet superficial .. .. .	..	..
Galvanized iron, in bars, sheets, or bundles, or corrugated, per ton	40	0	Shingles, per 1,000	2	0
Galvanized manufactures, per cwt.	3	0	Oilman's stores, sauces and pickles (quarts), per dozen	1	0
Vinegar, per gallon	0	6	Ditto (in pints and smaller quantities), per dozen	0	6
			Paper (writing and fancy), per lb.	0	1
			Ditto (brown and wrapping), per cwt.	3	4
			Oils of all kinds (except animal, sperm, black, and cocoanut), per gallon	0	6
			Doors, sashes and shutters, each	1	0

SHIPPING DUES.

	£	s.	d.		£	s.	d.
For any vessel drawing 7 feet or under ..	2	0	0	For any vessel drawing 20 and under 21 feet	8	0	0
" " 8 and under 9 feet ..	2	5	0	" " 21 " 22 "	8	10	0
" " 9 " 10 "	2	10	0	" " 22 " 23 "	9	0	0
" " 10 " 11 "	3	0	0	" " 23 " 24 "	10	0	0
" " 11 " 12 "	3	10	0				
" " 12 " 13 "	4	0	0				
" " 13 " 14 "	4	10	0				
" " 14 " 15 "	5	0	0				
" " 15 " 16 "	5	10	0				
" " 16 " 17 "	6	0	0				
" " 17 " 18 "	6	10	0				
" " 18 " 19 "	7	0	0				
" " 19 " 20 "	7	10	0				

LIGHT DUES.

Sailing vessels from any ports beyond the Australian Colonies, Polynesian Group, or New Zealand (inwards only), 6d. per ton.
Steam vessels other than mail steamers, from ports beyond the Colony, and sailing vessels from the Australian Colonies, New Zealand, and Polynesian Group, 3d. per ton.

Steam vessels and sailing vessels coastwise, 2*d.* per ton.

Exemption from pilot and light dues is granted to vessels put back in distress, or from stress of weather, and to ocean mail steamers, mission vessels, and whalers, unless a pilot has actually been employed and required.

COASTING LICENSES.

	£	s.	d.
For every boat or vessel under 10 tons ..	2	0	0
For every additional ton up to 20 register the further sum of 4 <i>s.</i> per ton; and for every additional ton above 20 tons the further sum of 2 <i>s.</i> per ton.			

LICENSES, ANNUAL.

	£	s.	d.		£	s.	d.
Wholesale license to vend spirituous liquors	10	0	0	Lighter or boat for the purpose of carrying goods or passengers ..	2	0	0
Retail (town)	25	0	0	Polynesian immigrant vessels license per return voyage	10	0	0
Ditto (country)	10	0	0				
Auctioneer's license	15	0	0				

POSTAGE ON LETTERS, BOOKS, NEWSPAPERS, &c.

LETTERS.

I.—Town Letters.

	s.	d.
For delivery within the limits of Levuka—		
Not exceeding $\frac{1}{2}$ oz.	0	1
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	0	2
And so on, increasing 1 <i>d.</i> for every additional $\frac{1}{2}$ oz. or fraction of $\frac{1}{2}$ oz.		

II.—Inland Letters.

Not exceeding $\frac{1}{2}$ oz.	0	2
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	0	4
And so on, increasing 2 <i>d.</i> for every additional $\frac{1}{2}$ oz. or fraction of $\frac{1}{2}$ oz.		

III.—Intercolonial Letters.

New Zealand ..	} per $\frac{1}{2}$ oz. ..	0	2
Queensland ..			
South Australia ..			
Tasmania ..			
Victoria ..			
Western Australia }			

IV.—Letters to British Colonies and Foreign Countries.
(Excepting Intercolonial.)

Not exceeding $\frac{1}{2}$ oz.	0	6
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	0
And so on, increasing 6 <i>d.</i> for every additional $\frac{1}{2}$ oz. or fraction of $\frac{1}{2}$ oz.		

V.—Letters to the United Kingdom.

Viâ San Francisco—		
Not exceeding $\frac{1}{2}$ oz.	0	6
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	0
Every additional $\frac{1}{2}$ oz. or fraction thereof ..	0	6
Viâ Torres Straits and Southampton—		
Not exceeding $\frac{1}{2}$ oz.	0	6
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	0
Every additional $\frac{1}{2}$ oz. or fraction thereof ..	0	6
Viâ Torres Straits and Brindisi—		
Not exceeding $\frac{1}{2}$ oz.	0	9
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	6
Every additional $\frac{1}{2}$ oz. or fraction thereof ..	0	9
Viâ Galle and Southampton—		
Not exceeding $\frac{1}{2}$ oz.	0	7
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	1
Every additional $\frac{1}{2}$ oz. or fraction thereof ..	0	6
Viâ Galle and Brindisi—		
Not exceeding $\frac{1}{2}$ oz.	0	10
Exceeding $\frac{1}{2}$ oz., but not exceeding 1 oz. ..	1	7
Every additional $\frac{1}{2}$ oz. or fraction thereof ..	0	9

Native Taxes.

Every male Fijian between the ages of 16 and 60, excepting those specially exempted, shall be taxed or assessed in personal service at the rate of twenty days in each year; provided always that such service may be commuted by cash payments calculated at the rates of sixpence, fourpence-halfpenny, and threepence per diem, in accordance with the local circumstances of the districts wherein they reside, and as the same shall be hereafter settled and determined by his Excellency the Governor in Council. And for every male alien Polynesian agricultural or other labourer, an annual capitation tax of ten shillings, to be paid quarterly through the employer of such labourer, the employer being held to be responsible for such payment.

His Excellency the Governor, with the advice of the executive Council, has been pleased to direct that all native taxes in arrear or unpaid on the 10th of October, 1874, be, and the same are, hereby remitted.

By his Excellency's command,

(Signed)

JOHN B. THURSTON, Colonial Secretary.

Sales, &c., of Land.

Colonial Secretary's Office, Fiji, October 12, 1874.

His Excellency the Governor, with the advice of the Executive Council, has directed it to be notified, for general information, that no sale, transfer, or assignment of land, or of any interest therein, after the date of the 10th of October instant, will be

recognized until the decision of Her Majesty shall be known touching the settlement of existing titles to land.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Colonial Secretary's Office, Fiji, October 12, 1874.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to direct the liberation and removal of any and all Fijians who, as defaulting taxpayers, have been removed from their homes and placed in service with European settlers.

The person from whose service such natives will be removed will be compensated by the Government for any sum of money he may prove to have paid on account of the tax due by each labourer as aforesaid, less the value of the time actually served; provided always, that any such labourer may, if so disposed, complete the term of his engagement.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Executive Administration.

Colonial Secretary's Office, Levuka, October 13, 1874.

His Excellency the Governor, by and with the advice of the Executive Council, has been pleased to direct, with a view to the efficient supervision of the public business, the following distribution of administrative functions:—

The Administrator of the Government, in the absence of the Governor, will exercise a general supervision over every Department of the Executive Administration.

The Honourable the Colonial Secretary will be the organ of communication between all Departments and the Administrator, as well as between the public and the Head of the Government. He will have the custody of the archives, and of the correspondence of the Government. He will audit the public accounts, and, in addition to his general duties, exercise special supervision over the following Departments:—

Judicial, Police and Gaols, Postal, Public Works, and Survey.

The Honourable the Colonial Treasurer will have charge of the finances and accounts of the Government. He will also exercise special supervision over the Customs and Harbour Departments.

The Honourable the Secretary for Native Affairs and Registrar-General will supervise the Provincial Chiefs and Provincial Stipendiary Magistrates, and will exercise a general control over every Department of native affairs. He will also have charge of all matters appertaining to imported native labourers.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Inclosure 3 in No. 6.

The "Fiji Government Gazette" of October 14, 1874.

Fiji, to wit.

(Signed) HERCULES ROBINSON, *Governor.*

Proclamation by Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its Dependencies, Governor of Norfolk Island, and, provisionally, Governor of the Colony of Fiji.

WHEREAS it is necessary that provision should be made for the Administration of Justice in the Colony of Fiji, pending the notification of Her Majesty's pleasure as regards the Constitution and permanent Laws of the said Colony: Now, therefore, I, Sir Hercules George Robert Robinson, the Governor aforesaid, do hereby by and with the advice of the Executive Council direct and proclaim that, pending the notification of Her Majesty's pleasure as aforesaid:—

Laws—Adoption of Statutes of New South Wales—Mode of Adoption.

1. All laws, Acts, or statutes now in force within the Colony of New South Wales not expressly excepted by a Proclamation of this Colony from affecting the Government of, or administration of, Justice within this Colony, are hereby adopted as the Laws and Ordinances of this Colony, so far as the same shall be applicable to the circumstances of this Colony and not repugnant to, or inconsistent with, any Law or Proclamation now in force in this Colony, or that may hereafter be made or promulgated. This and all other Proclamations within the Colony of Fiji shall take effect from the date of the publication thereof, and any reference to persons, places, or subjects, in all statutes hereby adopted shall be taken as referring to corresponding or analogous persons, places, or subjects in this Colony.

Administration of Justice—Decisions of Court to be governed by Laws of New South Wales.

2. That whenever any Court, Judge, or Justice of the Peace, is called upon to adjudicate or decide, or to make any order or rule with regard to any matter or thing, and no provision is made by any Proclamation, Ordinance or otherwise, for the settlement or disposal thereof, then and in every such case the Legislative Enactments of the Colony of New South Wales having reference to such matter or thing, or to any matter or thing similar or analogous thereto shall, so far as the same can be applied to the circumstances of this Colony, regulate and govern the decision and settlement of such matter or thing.

Excepted Statutes.

3. That the provisions of the Constitution Acts, the Common Law Procedure Acts and other Acts establishing or regulating the practice or business of the Supreme Court of the said Colony of New South Wales, and appeals therefrom, shall not affect the proceedings of the Courts of this Colony; and further, the provisions of the Land Acts, Stamp Acts, Municipalities Acts, Church and Clergy Acts, School Acts, Distillation Acts, and any Acts of merely local application shall not have effect in this Colony.

Limitation.

4. That no proceeding or suit shall be brought or instituted in any Court in this Colony to recover any sum of money on any cause of action accrued prior to the first of January one thousand eight hundred and seventy-one.

Courts—Establishment of Court—Style and Constitution of Court.

5. That a Court of Justice shall be established at Levuka to be called the "Central Court of Fiji," and such Court shall be a Court of record and shall possess criminal and civil jurisdiction as hereinafter defined, and shall be presided over by one European and one native Judge, provided that such European Judge may hold and conduct such Court without the presence or aid of such native Judge.

Criminal Jurisdiction.

6. The Central Court shall, in its criminal jurisdiction, have cognizance and jurisdiction of and over all crimes and offences against the law. Provided that in cases punishable by death the carrying out of any capital sentence shall not take place without the sanction obtained under the hand and seal of His Excellency the Governor, who shall have power to commute any such sentence and to substitute therefore such term of imprisonment with or without hard labour, as to him shall seem meet.

Judges to make Rules of Court.

7. The Judges of the Central Court may from time to time make rules for the conduct of the business therein, the scale or scales of fees to be charged, the payment of costs to attorneys or counsel, and for all other matters of practice or procedure not herein provided for.

Limit of Civil Jurisdiction—No Jurisdiction in questions of Title to Land.

8. The Central Court shall in civil cases have the like jurisdiction as the District Courts of the Colony of New South Wales, except only that such jurisdiction shall extend to all causes in which the sum claimed does not exceed three hundred pounds, including

actions for seduction and breach of promise of marriage; and further, that the European Judge of such Court shall have power to appoint persons as Commissioners of Affidavits, with the like powers as such officers have by the laws of New South Wales, and to grant probate of wills and letters of administration, and to issue writs or orders of prohibition and mandamus in like manner as the Supreme Court of the Colony of New South Wales according to the law now in force in that Colony, and in all cases the Central Court shall have the power to exercise an equitable jurisdiction over the subject matter of any cause or proceeding not involving any question of title to land, and the provisions of the District Court Acts of New South Wales 22 Victoria, Number 18, and 22 Victoria, Number 25, shall be taken to regulate the proceedings and practice of the Central Court, and are hereby adopted as a law of the Colony of Fiji, with the exceptions and alterations as provided in this Proclamation, and excepting such provisions of the said Acts as are repugnant to the provisions of this Proclamation, and where reference is made in such Act to the Court of Quarter Sessions, such Court shall be taken to be the Central Court in its criminal jurisdiction.

Business of Courts—Division of Sittings into Criminal and Civil—Time of Sittings.

9. The Central Court shall sit in Levuka on the first of every month, except the months of March, July, and December, for the disposal of civil suits, and on the first of the months of March, July, and December respectively for the disposal of all charges of a criminal nature, and such Court shall continue to sit until the business of such Court is disposed of.

Judges not to Practice.

10. No Judge of such Court shall act or practice as attorney or counsel in any Court in the Colony of Fiji.

Sittings of the Court—What constitutes Court.—Judges differing.

11. The Central Court shall sit on the first of each and every month, and no Court shall be held without the presence of the European Judge thereof, and in the case of two Judges sitting together and there being a difference of opinion between such Judges, then the opinion of the European Judge shall prevail and be the decision of the Court.

Officers of Court—Crown Prosecutor, Duties and Appointment of.

12. There shall be an officer appointed to be the Crown Prosecutor and Legal Adviser to the Government, which officer shall be styled the Crown Prosecutor, and shall hold office during the pleasure of his Excellency the Governor, and shall be invested within the Colony of Fiji with like powers, and shall perform within the said Colony like duties as are vested in and devolving upon Her Majesty's Attorney-General in the Colony of New South Wales, so far as the exercise of such powers and the performance of such duties shall be applicable to the circumstances of the Colony of Fiji. Any attorney or counsel of the Central Court commissioned in that behalf by the Governor or Administrator of the Government may, in the event of the death, absence, or incapacity of the Crown Prosecutor, file informations and prosecute for offences in the same manner as the Crown Prosecutor.

Sheriff, appointment and Duties of.

13. There shall be appointed an officer to be called the Sheriff, who shall hold office during the pleasure of his Excellency the Governor, and whose duty it shall be to execute and give effect to all orders, decrees, judgments, and directions of the Central Court, or of the European Judge thereof, to be lodged with such Sheriff for that purpose, and he shall be responsible for any consequences ensuing from any negligence or misfeasance on the part of such Sheriff or his deputy.

Enrolment of Attorneys and Counsel.

14. The Judges of the Central Court may from time to time enrol such persons as they deem qualified to act as attorneys or counsel therein, and unless so enrolled no person shall be admitted to audience except in his own cause.

Right of Audience of Attorneys and Counsel.

15. Any attorney or counsel of the Central Court shall be entitled to appear in any Court in the Colony.

Advocates to be Officers of Court—Power of Court to Punish.

16. Any attorney or counsel of the Central Court shall be deemed to be an officer of such Court, and as such shall be subject to be suspended from practice or disenrolled by such Court after a rule served on such attorney or counsel calling upon him to show cause against such suspension or disenrolment, provided always that the Court may at any time annul such suspension or disenrolment on good cause shown.

Registrar, Duties of—To act as Sheriff.

17. There shall be appointed an officer, who shall be under the order and direction of the European Judge, and shall have the care and custody of the seal and of all records and proceedings of the Court, and such officer shall be designated the Registrar of the Central Court, and shall also act as Sheriff of the Colony, and hold office during the pleasure of his Excellency the Governor.

Imprisonment for Debt—Power of Courts to Imprison for Debt—Limitation of Imprisonment for Debt, and in what cases to be imposed.

18. All persons and property within the Colony shall be subject to the laws thereof, but no person shall be imprisoned for debt except under a writ of *Capias ad Respondendum*, and no such writ shall issue except upon proof by affidavit that the person sought to be imprisoned is about to leave the Colony, and that he is indebted to the person demanding the writ in a sum exceeding twenty pounds, and that a summons has been issued for the recovery of such sum. In case any person has obtained a judgment for a sum exceeding five pounds, it shall be lawful for such judgment creditor, upon affidavit of the fact of such judgment, to apply for and obtain a summons, calling on the judgment debtor to show cause why the amount of such judgment debt should not be satisfied; and if the European Judge or the Court shall consider that such judgment debtor has fraudulently made away with or disposed of property for the purpose of evading such judgment, then the Court or such Judge may order the judgment debtor to be imprisoned in default of paying such judgment debt and costs within a reasonable time for a term not exceeding three months. Provided that the Court or the European Judge thereof shall, in addition to the powers hereinbefore conferred, possess like powers of issuing a writ of *Capias ad Satisfaciendum* as are possessed by the several district Courts or the respective Judges thereof within the Colony of New South Wales under the Act of the Parliament of such Colony, 22 Vict., No. 18.

Arbitration—Power of Court or European Judge to refer to Arbitrators—Appointment of Arbitrators—Making Award a rule of Court—Power of Court to refer Award back.

19. The Central Court or the European Judge thereof may at discretion, in all suits or causes involving complicated accounts, order the same to be referred to a single Arbitrator, or to one or more Arbitrators and an Umpire, in such manner and on such terms as to such Court or Judge shall seem fit, and may nominate the Arbitrator or Arbitrators and their Umpire and appoint another or other in his or their stead, and refer back any matters for reconsideration; and the order of such Arbitrator, Arbitrators, or Umpire may, on the motion of either party, be made a rule of Court, having the same effect as a judgment of such Court; and the payment of the amount awarded, and the fees directed by the Court or European Judge to be paid to the Arbitrator, Arbitrators, or Umpire, may be recovered in the same manner as any ordinary judgment debt.

Criminal Prosecutions, how to be commenced.

20. No person shall be put on his trial for any indictable offence except after commitment by a Justice of the Peace or a Coroner, or upon the information of the Crown prosecutor, or by the order of the Court or the European Judge thereof.

Preliminary proceedings in Criminal Cases.

21. Every person arrested for or charged with any alleged crime or offence shall be taken before the nearest Court of Petty Sessions at its next sitting, and such Court may

remand the accused for any time not exceeding eight days at each remand, and in the whole not exceeding three months, and may also if expedient remand the accused to any other Court of Petty Sessions in the Colony.

Absent Plaintiff—Security for Costs.

22. In all civil proceedings brought in the Central Court of this Colony by a person absent therefrom at the time of bringing such suit, the Judge before hearing the same may, if he think fit, make an order that security for costs shall in every such case be given by or on behalf of any such absent plaintiff.

Juries—Criminal Prosecutions—Trial by Jury.

23. That all crimes and offences prosecuted in the Central Court shall be tried by a jury of seven persons, whose verdict shall be unanimous; and if in any case a jury shall have deliberated thereon for six hours or upwards, and they shall not concur in their verdict, such jury may, in the discretion of the Judge, be discharged, and the case may be again tried at the same or any subsequent sittings as the Court or presiding Judge may direct. Provided always that upon the trial of any native Fijian only the person to be tried may elect to be tried by a jury of native Fijians.

Jury in Criminal Cases—Right of Challenge.

24. That the Registrar of the Central Court or the Deputy-Registrar (and in case of necessity the European Judge may appoint a Deputy-Registrar) shall in all criminal cases summon not less than twenty-four persons duly qualified as jurors; and any prisoner or person to be placed on his trial shall have a peremptory challenge as to four of any jury so summoned, and a challenge for cause shown as to so many of such jurors as to the Court or presiding Judge shall seem fit, and the Crown's right of challenge shall be as it is in the Colony of New South Wales.

Jury in Civil Cases.

25. In all civil cases in which amount in dispute does not exceed thirty pounds, the Court or European Judge thereof shall decide such matter, and when the sum in dispute shall exceed thirty pounds, then the plaintiff or defendant may require a jury of persons, not being coloured natives of Polynesia, to be summoned as hereinafter provided for the determination of such matter; and such jury shall consist of four persons, and the decision of three-fourths of such jury shall be received as the verdict of such jury in all cases where such jury shall not be unanimous: Provided always that if any native subject is a plaintiff or defendant in a civil suit, such suit shall be adjudicated upon by the Court only.

Striking Jury in Civil Cases.

26. That in all civil cases to be tried by a jury the names of eight jurors in attendance shall be called, such names being drawn from a box by lot, and the plaintiff and defendant respectively shall from such eight names strike out two, and the case shall then be tried by the remaining four. When either plaintiff or defendant shall be absent, the officer of the Court shall strike two of the names of jurors for such absent party.

Qualification and Remuneration of Jurors.

27. That every person between the age of twenty-one and sixty years, and who is in possession of his physical faculties, and has not been convicted of any felony, shall be liable to serve upon any jury, and the remuneration of such jurymen shall be six shillings for each day they serve in civil cases, and such fees shall be paid by the plaintiff each day before the hearing or continuation of such case to be costs in the cause; and in criminal prosecutions the fees of the jury shall be four shillings a day, to be paid by the Crown to such jury for each day they attend when called or serve.

Jury Lists, Preparation of—Notice to Jurors—Penalty for Disobedience of Summonses.

28. That the Registrar shall prepare a list of qualified jurors alphabetically arranged, who shall be summoned in rotation as occasion shall require, and shall give four days' notice to persons residing or being in Ovalau, and fourteen days' notice to person residing

or being elsewhere; and any person neglecting to obey the said summons shall be liable to a penalty to be imposed by the Court or presiding Judge not exceeding ten pounds, to be recovered by levy and distress, and in default thereof imprisonment may be awarded not exceeding one month; and such fine or imprisonment may be remitted or reduced by the Court or Judge presiding.

Courts of Petty Sessions.

29. Courts of Petty Sessions shall be established in such parts of the Colony as his Excellency the Governor or the Administrator of the Government shall direct, to be presided over by Justices of the Peace to be appointed by his Excellency; and the jurisdiction, practice, and procedure of such Courts of Petty Sessions shall in all matters be governed by the several "Justices' Acts" or other acts providing for such matters now in force in the Colony of New South Wales, so far as the same shall be applicable to the circumstances of this Colony. The European Judge of the Central Court shall be a Justice of the Peace, and as such Justice shall be the Chief Police Magistrate of the Colony. The Act 10 Vict., No. 10 of the Colony of New South Wales, shall not apply to any Court of Petty Sessions within the Island of Ovalau.

Power of Justices in Petty Sessions to state Case.

30. Any Justice or Justices of the Peace presiding at any inquiry of a summary nature may reserve his or their decision, and may state a case for the opinion of the Central Court or of the European Judge thereof, and the decision of the Court or of the said Judge on such point shall be conclusive.

Evidence—Power to administer Oaths and summon Witnesses, and to punish for contempt.

31. The Central Court shall have power to compel the giving of evidence on oath or affirmation by persons within the Court or the precincts thereof, and to summon witnesses, and any person disobeying the summons or order of the Court or of a Judge thereof, or in any way hindering or obstructing the business of such Court, shall be guilty of contempt of Court, and may be imprisoned for any period not exceeding three months, or be mulct in a sum not exceeding fifty pounds: provided always that the Court or the European Judge may remit such fine or any part thereof, or mitigate the term of imprisonment so imposed at the discretion of the Court or Judge as aforesaid.

Affirmations—Taking Statement in lieu of Oath in some cases.

32. In any civil or criminal proceedings in the Central Court or Courts of Petty Sessions of this Colony, the presiding Judge or Judges of the Central Court and the Justices sitting in the several Courts of Petty Sessions may, after the administering of a caution to a witness who is ignorant of the nature of an oath, take the statement of such witness; and such statement may, at the discretion of the Court, be received as evidence in the same manner as if such evidence had been taken after the administering of an oath in the ordinary manner. Any person knowingly and wilfully giving false evidence in any such statement shall be guilty of a misdemeanor, and upon conviction thereof shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Registration—Registration of Births, &c.; Penalty in default of—Licensing of persons to perform Marriage Ceremony.

33. That all births, marriages, and deaths occurring or taking place in the Colony of Fiji shall be registered in accordance with the forms required by the Acts relating to such matters in the Colony of New South Wales, provided that any person required by such Acts to register any birth, marriage, or death, shall, on failure of so doing within three months from date thereof, be liable to a penalty not exceeding 10*l.*, or one month's imprisonment in default of payment forthwith; and further, that any person solemnizing marriage between any persons in the Colony of Fiji, without being licensed thereto in writing by his Excellency the Governor, or the officer administering the Government, shall, on conviction thereof before the Police Magistrate or two Justices of the Peace, forfeit the sum of 10*l.*, recoverable by levy and distress.

Companies to be Registered.

34. That all Companies established under the provisions of the "Joint-Stock Companies' Act of New South Wales Act," 17 Vict., No. 9, shall be registered with the Registrar of the Central Court.

Intestate Estates.

35. The Registrar of the Central Court shall be the Official Curator and Administrator of Intestate Estates. The European Judge of the Central Court shall frame rules for the administration of such estates, which rules shall, upon confirmation by the Administrator of the Government and the Executive Council, be binding upon all parties concerned.

Fees, &c., to be paid into Treasury.

36. All fees, fines, and penalties payable or imposed under this Proclamation or under any law hereby adopted, shall be paid into the Treasury, and form part of the revenue of the Colony of Fiji, any law to the contrary notwithstanding.

Given under my hand and seal, at Nasova, this 13th day of October, A.D. 1874, and in the 38th year of Her Majesty's reign.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

God save the Queen!

Inclosure 4 in No. 6.

The "Fiji Government Gazette" of October 14, 1874.

POLYNESIAN IMMIGRATION AND LABOUR.

Fiji, to wit.

(L.S.) HERCULES ROBINSON. *Governor.*

Proclamation by His Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its Dependencies, Governor of Norfolk Island, and, provisionally, Governor of Fiji.

WHEREAS it is deemed expedient to make provision, pending the notification of Her Majesty's pleasure herein, for the regulation and control of the hiring and service of Polynesian immigrants, and the carrying of such immigrants on board vessels.

Now, therefore, I, Sir Hercules George Robert Robinson, the Governor aforesaid, do hereby, with the advice of the Executive Council, proclaim and direct:—

That, pending the notification of Her Majesty's pleasure as aforesaid, the Act of the Parliament of the Colony of Queensland, 31 Victoria, No. 47, intituled, "An Act to Regulate and Control the Introduction and Treatment of Polynesian Labourers," is hereby adopted as the law of this Colony, so far as the provisions of the said Act shall be applicable to the circumstances of this Colony. I do further direct that the provisions of the said Act, in its application to this Colony, may be modified in certain particulars, as may be determined upon by the Administrator of the Government, by and with the advice of the Executive Council, and notified in the "Government Gazette."

Given under my hand and seal, at Nasova, this 14th day of October, in the year of our Lord 1874, and in the 38th year of Her Majesty's reign.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

God save the Queen!

Colonial Secretary's Office, Levuka, October 14, 1874.

His Excellency the Governor has been pleased to appoint the following gentlemen to be Justices of the Peace for the Colony of Fiji :—

Alexander Barrack, of Savu Savu, Esq.
 James Blythe, of Yaqeta, Yasawa, Esq.
 Nathaniel Chalmers, of Koro, Esq.
 Otty Cudlip, of Levuka, Esq.
 Alfred Beresford D'Este, of Tavua, Esq.
 Alexander Gordon, of Nadi, Esq.
 Edward Graham, of Naitaisiri, Esq.
 Hamilton Hunter, of South Taviuni, Esq.
 Paul Joske, of Suva, Esq.
 Herbert Levick, of Loma Loma, Esq.
 John McCaig, of Nadroga, Esq.
 James Edward Mason, of North Taviuni, Esq.
 Rupert Ryder, of Mago, Esq.
 John Scott, of Tai Levu, Esq.
 William Scott, of Levuka, Esq.
 Samuel Frederick Sewell, of Loma Loma, Esq.
 George S. Smith, of Levuka, Esq.
 David Waterson, of Rewa, Esq.
 David Wilkinson, of Bua, Esq.

By his Excellency's command,
 (Signed) JOHN B. THURSTON, *Colonial Secretary.*

Inclosure 5 in No. 6.

The "Fiji Government Gazette" of October 14, 1874.

HIS Excellency the Governor has been pleased to make the following provisional appointments, pending the notification of Her Majesty's pleasure as regards the permanent Constitution and Government of the Colony :—

Executive.

Cyril H. H. Irvine, Esq., to be Clerk of the Executive Council and Despatch Clerk in the Colonial Secretary's Office.

Judicial.

Joseph Hector Garrick, Esq., Barrister-at-Law, to be the European Judge of the Central Court of Fiji and Chief Police Magistrate of the Colony.

Ratu Marika, to be the Native Judge of the Central Court of Fiji.

Sydney Charles Burt, Esq., to be Crown Prosecutor and Legal Adviser to the Government.

Mr. William Isaac Thomas, to be Registrar of the Central Court of Fiji and Sheriff of the Colony.

Mr. John Harman, to be Interpreter and Clerk to the European Judge and Chief Police Magistrate.

Mr. John St. Julian, to be Clerk of Petty Sessions for the Police Court Levuka.

Colonial Secretary's Office.

Mr. John Langford, to be Clerk.

Mr. David John Chisholm, to be Clerk.

Dr. John Cruickshank, to be Medical Officer to the Government.

Mr. John David William Vaughan, to be Housekeeper and Overseer of Stores and Works.

Postal.

Captain Frederick Platt Blackmore, to be Chief Postmaster of the Colony.

Police.

Mr. James Doxey Senior, to be Sub-Inspector of Police.
Mr. William W. Thomas, to be Clerk.

Gaols.

Mr. John Cox, to be Gaoler, Levuka.
Mr. John Williams, to be Warder of the Gaol, Levuka.
Mr. James Molloy, to be Gaoler and Sub-Inspector of Police, Lovoni.

Treasury.

Mr. Charles E. Gundry, to be Accountant.

Customs.

Mr. David Henry Smart, to be Collector of Customs.
Mr. Nicholas Samuel Hedstrom, to be Harbour-Master.
Mr. Thomas Thomson, to be Clerk and Bond-Keeper.
Mr. Sydney Wilson, to be Boarding-Officer.
Mr. William Good, to be Boarding-Officer.
Mr. D. J. Christy, to be Light-Keeper.

Department of Native Affairs.

Henry Charles Thurston, Esq., to be Stipendiary Magistrate for the South Coast of Viti Levu and Kadavu.

Alexander Eastgate, Esq., to be Stipendiary Magistrate for the North Coast of Viti Levu and Yasawa.

John Packer Gore Martin, Esq., to be Stipendiary Magistrate for Vanua Levu and Taviuni.

Horace Caton G. Emberson, Esq., to be Stipendiary Magistrate for the Windward Islands, including Moala, Totoya, and Matuku, and to be Deputy-Collector of Customs at Loma Loma.

The following Chiefs will be Rokos of Provinces as under :—

1. Maafu, Lau.
2. Tui Cakau, Cakadrove.
3. Ratu Epele, Tai Levu and Naitisiri.
4. Ratu Savanaca, Central Islands or Loma Viti.
5. Tui Macuata, Macuata.
6. Tui Bua, Bua.
7. Tui Dreketi, Rewa.
8. Cagi Levu, Kadavu.
9. Ratu Kini, Nadroga.
10. Ratu Isikeli, Ra.
11. Roko Tui Bau, Ba and Yasawa.
12. Matanitobua, Namosi.

Mr. Henry Bentley, to be Immigration Agent and Protector of Imported Labourers.
Mr. Robert Robertson, to be Clerk to the Secretary for Native Affairs.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

Inclosure 6 in No. 6.

The "Fiji Government Gazette" of October 15, 1874.

Colonial Secretary's Office, Fiji, October 14, 1874.

HIS Excellency the Governor has been pleased to direct that the following statements showing the Estimated Revenue and Authorized Expenditure for the year ending the 10th October, 1875, be published for general information.

By his Excellency's command,
(Signed) JOHN B. THURSTON, *Colonial Secretary.*

RETURN showing the Estimated Revenue and the Authorized Expenditure of the Provisional Colonial Government of Fiji, from the 10th October, 1874.

ESTIMATED REVENUE.

Branch of Service.	For year ending 10th October, 1875.
	£
Customs duties	15,000
Pilotage and light dues	300
Licenses on interinsular trading crafts and on harbour boats plying for hire	300
Native taxes—	
Native labour	4,500
Imported labour	1,500
Fees and fines of Courts	750
Licenses to Polynesian immigrant vessels	200
Wine and spirit licenses	750
Auctioneers' licenses	75
Miscellaneous	500
Total	23,875

AUTHORIZED EXPENDITURE.

Branch of Service.	For Year ending 10th October, 1875, unless sooner amended by order of Her Majesty's Government.	
	£ s. d.	£ s. d.
ESTABLISHMENTS.		
I.—Executive.		
1. His Excellency the Governor	Nil.	
2. The Administrator of the Government	Nil.	
3. Pension to Tui Viti (Thakombau)	900 0 0	
4. Colonial Secretary	400 0 0	
5. Colonial Treasurer	400 0 0	
6. Secretary for Native Affairs	400 0 0	
7. Chief Interpreter to the Government	300 0 0	
8. Private Secretary to His Excellency the Governor	300 0 0	
9. Clerk to the Executive Council	200 0 0	2,900 0 0
II.—Judicial.		
1. Judge of Central Court and Chief Magistrate	500 0 0	
2. Native Judge	120 0 0	
3. Public Prosecutor and Legal Adviser to Government	250 0 0	
4. Registrar and Sheriff	240 0 0	
5. Interpreter and Judge's Clerk	150 0 0	
6. Clerk of Petty Sessions, Police Court	150 0 0	1,410 0 0
III.—Colonial Secretary's Office.		
1. Two Clerks	400 0 0	
2. Medical Officer	150 0 0	
3. Housekeeper and Overseer of Stores and Works	150 0 0	700 0 0
IV.—Postal.		
1. Postmaster	250 0 0	
2. Native Messenger	10 8 0	260 8 0
V.—Police.		
1. Superintendent	200 0 0	
2. Sub-Inspector	150 0 0	
3. Clerk	100 0 0	
4. One European Sergeant and three European Constables	400 0 0	
5. 200 Native Constabulary of all ranks (rations)	600 0 0	1,450 0 0
VI.—Gaols.		
1. Gaoler, Levuka	180 0 0	
2. Warder	90 0 0	
3. Gaoler, Lovoni (without rations)	150 0 0	420 0 0

Branch of Service.					For Year ending 10th. October, 1875, unless sooner amended by order of Her Majesty's Government.					
					£	s.	d.	£	s.	d.
VII.— <i>Treasury.</i>										
1. Accountant					200	0	0			
								200	0	0
VIII.— <i>Customs.</i>										
1. Collector					200	0	0			
2. Harbour Master					200	0	0			
3. Clerk and Bond Keeper					150	0	0			
4. Boarding Officer					150	0	0			
5. Ditto					150	0	0			
6. Light Keeper					50	0	0			
								900	0	0
IX.— <i>Native Affairs.</i>										
1. Four Stipendiary Magistrates at 240 <i>l.</i> (see Schedule A in Appendix)					960	0	0			
2. Clerk to Secretary for Native Affairs					200	0	0			
3. Twelve Provincial Chiefs, Rokos (see Schedule B in Appendix)—										
					£	s.	d.			
One at 600 <i>l.</i>					600	0	0			
One at 360 <i>l.</i>					360	0	0			
One at 340 <i>l.</i>					340	0	0			
One at 240 <i>l.</i>					240	0	0			
Two at 220 <i>l.</i>					440	0	0			
Three at 200 <i>l.</i>					600	0	0			
One at 140 <i>l.</i>					140	0	0			
Two at 100 <i>l.</i>					200	0	0			
					2,920	0	0			
4. Allowance to Adi Kuila					100	0	0			
5. Twelve Native Stipendiary Magistrates at 24 <i>l.</i> (see Schedule C in Appendix)					288	0	0			
6. Eighty-two Bulis, as follows (see Schedule D in Appendix)—										
					£	s.	d.			
Thirty-one at 10 <i>l.</i>					310	0	0			
Thirty-five at 5 <i>l.</i>					175	0	0			
Twenty at 3 <i>l.</i>					60	0	0			
					545	0	0			
7. Coxswain and Messenger to Secretary for Native Affairs					75	0	0			
8. Immigration Agent and Protector of Imported Labourers					240	0	0			
								5,328	0	0
Total Establishments								13,568	8	0
EXCLUSIVE OF SERVICES' ESTABLISHMENTS.										
X.— <i>Judicial.</i>										
1. Jury Fees and Witnesses expenses in Crown cases					100	0	0			
2. Incidentals					10	0	0			
								110	0	0
XI.— <i>Colonial Secretary's Office.</i>										
1. Stationery for all Departments except Native Affairs					200	0	0			
2. Hospital fees					25	0	0			
3. Coroner's fees					20	0	0			
4. Incidentals					25	0	0			
								270	0	0
XII.— <i>Works.</i>										
1. Printing					250	0	0			
2. Rent of Public Offices					300	0	0			
3. Enclosing and keeping in order Cemetery					100	0	0			
4. Repairs to buildings					200	0	0			
5. Incidentals, stores, &c.					160	0	0			
6. Material for lighting and repairs to streets and bridges in Levuka					300	0	0			
								1,310	0	0
XIII.— <i>Police.</i>										
1. Rations for 200 men, clothing, and allowances					1,600	0	0			
2. Travelling expenses for Police and Prisoners					20	0	0			
3. Travelling expenses of Superintendent, at 7 <i>s.</i> 6 <i>d.</i> per diem					35	0	0			
								1,655	0	0

Branch of Service.					For Year ending 10th October, 1875, unless sooner amended by order of Her Majesty's Government.	
					£ s. d.	£ s. d.
XIV.— <i>Gaols.</i>						
1. Rations for Prisoners	..	..	..	..	200 0 0	
2. Incidentals	..	..	..	..	20 0 0	
						220 0 0
XV.— <i>Treasury.</i>						
1. Incidentals	..	..	..	..	50 0 0	
						50 0 0
XVI.— <i>Customs' and Harbour Master's Office.</i>						
1. Two boats' crews at 12 <i>l.</i>	..	..	..	..	24 0 0	
2. Rations for same	..	..	..	..	30 0 0	
3. Flags, Sykes' hydrometer, gauging rods, &c., scale, platform, and incidentals	..	..	..	..	100 0 0	
4. Buoys for mail steamer	..	..	..	..	50 0 0	
						204 0 0
XVII.— <i>Native Affairs.</i>						
1. Travelling expenses for Secretary for Native Affairs, at 7 <i>s.</i> 6 <i>d.</i> per diem	..	..	..	..	35 0 0	
2. Travelling expenses for four Stipendiary Magistrates, at 7 <i>s.</i> 6 <i>d.</i> per diem	..	..	..	..	200 0 0	
3. Four boats' crews for Magistrates, and repairs to boats.	..	..	..	..	150 0 0	
4. Boat's crew for Secretary	..	..	..	..	30 0 0	
5. Stationery and incidentals	..	..	..	..	100 0 0	
						515 0 0
Total, exclusive of Establishments	..	..	..	..	..	4,334 0 0
<i>Summary.</i>						
Total Establishments	..	..	..	..	..	13,558 8 0
Total, exclusive of Establishments	..	..	..	..	..	4,334 0 0
Total Estimate of Expenditure	..	..	..	..	..	17,902 8 0

SCHEDULE A in Appendix to Estimates.

The four European Stipendiary Magistrates are to be distributed through the Group as follows :

	District.	Places at which Courts to be held.
One Magistrate. (Mr. Martin.)	Vanua Levu and Taviumi.	{ Somo Somo. Na Savu Savu. Bua. Naduri (Macuata).
Two Magistrates. (Messrs. Eastgate and Thurston.)	Viti Levu, Yasawa, and Kadavu.	{ Bau. Korotubu. Raki Raki. Ba. Yasawa (Matacanalevu).
One Magistrate. (Mr. Henry Chas. Thurston.)	..	{ NORTH COAST. SOUTH COAST. Rewa. Namosi (Serua or Nayua. Nadroga. Nadi. Kadavu.
One Magistrate. (Mr. H. G. C. Emberson.)	Windward Islands, including Moala, Totoga, and Matuku.	{ Loma Loma. Lakeba.

SCHEDULE B in Appendix to Estimates.

Return of Provincial Chiefs hereafter to be styled Rokos, showing their Salaries as fixed under the Government of 1871, under the Ad-interim Government of March, 1874, and under the Colonial Provisional Government of 10th October, 1874.

	Province.	Name of principal Chief or Roko.	Original Salary.	Reduced Salary from March 1874.	Salary now fixed under Colonial Provisional Government.	Remarks.
1	Lau	Maafu	£ 800	£ 640	£ 600	Has not received any salary under Ad-interim Government.
2	Cakaudrove	Tui Cakau	600.	480	360	Has only received 5% under Ad-interim Government.
3	Tai Levu and Naitasini..	Ratu Epeli	{ 300	240	310	These two Provinces have been united.
			{ 300	200	100	This 100% is for the present to be paid to Adi Kula, widow of the late Chief of Naitasini.
4	Loma i Viti or Central Islands ..	Ratu Savinaca ..	300	240	240	
5	Macuata	Tui Macuata	300	240	220	
6	Bua	Tui Bua	300	220	220	
7	Rewa	Tui Dreketi	300	200	200	
8	Kadavu	Cagi Levu	300	200	200	
9	Nadrega	Ratu Kini	300	200	200	
10	Ra	Ratu Isikeli	300	150	100	
11	Ba and Yasawas	Roko Tui Bua .. ..	..	..	100	} These two Provinces, 10 and 11, formerly formed one under Isikeli, but have been divided at an additional expense of 50%.
12	Namusi	Mata Nitobua, and Chief of Serua ..	300	140	140	
			4,400	3,150	3,020	

SCHEDULE C in Appendix to Estimates.

LIST of Native Stipendiary Magistrates.

Province.					Name.
1.	Lau	..	..	..	Ioni Mafi, Tevita Uluilakeba.
2.	Cakaudrovi	..	..	..	Kuliloa, Maika Vuki.
3.	Tailevu and Naitasiri	..	..	..	Iaitia Toraca.
4.	Lomaeviti	..	..	..	Samuela.
5.	Macuata	..	..	..	(Not yet filled.)
6.	Bua	..	..	..	Esikaia Vunidaga.
7.	Rewa	..	..	..	Napoleone Vakamocea.
8.	Kadavu	..	..	..	Peni Suluagalo.
9.	Nadroga	..	..	..	Emosa, Loca.
10.	Ba	..	..	..	(Not yet filled.)
11.	Ba and Yasawa	..	..	..	Malilili Rokodmona, Joni Naravudi.
12.	Namoli	..	..	..	Cagidaveta.

NOTE.—Where two Magistrates are appointed for one Province, the salary to be divided.

SCHEDULE D in Appendix to Estimates.

RETURN of Provincial Chiefs and Bulis of Districts.

	Province Yasawa.	Chief Nakena Roko.	First Class Districts.		Second Class Districts.		Third Class Districts.	
			Districts.	Name of Bulis.	Districts.	Name of Bulis.	Districts.	Name of Bulis.
1	Lau ..	Maufu ..	Lekeba ..	Tevita Ullakeba ..	Loma Loma .. Moala ..	Ratu Mudu .. (Not yet filled) ..	Ono .. Mua Levu .. Laucala ..	Tui Ono. (Not yet filled.) Tui Laucala.
2	Cakaudrovi ..	Tui Cakau ..	Wailevu.. Savu Savu .. Nateva ..	Tui Wailevu .. Tui Nasavusavu .. Vunivalu ..	Wailelevu .. Cakaudrovi .. Wainikeli ..	..	..	..
3	Tui Levu and Naitasiri ..	Ratu Epeli ..	Loma Loma .. Bau .. Nakelo .. Vugalea .. Wai Maro .. Namena .. Navuso ..	Tui Somo Somo .. Ratu Mualeleli .. Mele Ragata .. Serulakowaga .. Ratu Nai Cola .. Lawaniyawu .. Uraia Intina ..	Vuna .. Tokotoko .. Verata .. Solira .. Matalobau	Ratu Tuiwai. Tui Vuna. Cola Matisiga .. Kitiona Lubbua .. Rakuita .. Batiratu	Bureta .. Dravu .. Kuku .. Namata .. Namora .. Vuna ..	Savinaca Veikoro. Nepolani Rabuno. Dabea. Solomoni Kalonivutia. Pafalaga. Bola Sua Sua.
4	Lomai Viti ..	Ratu Savinaca ..	Ovalau .. Nagamai .. Samiyaki ..	Samuela Macedru .. Vilimoni Vervasi .. Selia Lewanivanua ..	Moturiki .. Cawa .. Namuanaia .. Nairai .. Batiki .. Yadua .. Dreketi .. Labasa .. Veisogo ..	Semisi Savutu. Waisaki Taganimadi. Watisoni Cebata. Amivitiabi Tuisawau. Josaia Lauvili. Poasi Kulitoo. Surayalevu. Rokoveitebe.	..	..
5	Macuata ..	Tui Macuata ..	Macuata.. Naduri ..	Muduyabia .. Katoniveri ..	....	..	..	..
6	Bua ..	Tui Bua ..	Sekutu .. Bua .. Ravi Ravi ..	Semi Debalevu .. Malka Ratu .. Tevita Suraki ..	Navakasiga .. Solevu .. Kubolau .. Dawa ..	Masiwa .. Malka .. Bulisolevu .. Tui Vuga. Eliesa Matani.	Nadi .. Wainunu .. Nawacu ..	Manasa Vusamosi. Vatu. Seme Radrudru.
7	Pewa ..	Roko Tui Dreketi ..	Noco .. Rewa .. Serua .. Tavuki .. Nabukilevu ..	Josaia Reyana .. Veceli Namusidroka. Gagabokola. Sairusi .. Jokotami Koronako ..	Beqa ..	Tui Sauwau	Suva ..	Avarosa Tuivuya.
8	Kadavu ..	Nacagilevu ..	..	..	Nalevu .. Yale .. Nakasaleka ..	Tawakalou .. Vui Naitasiri .. Jekopi Sogeta. Totoaveiwavi .. Nakulaniyasiyasi .. Nakarasa .. Nagege ..	Yawi .. Ono ..	Korolagi. Usaia Kuliloa.
9	Nadronga ..	Ratu Kini ..	Nadronga .. Malu Malu ..	Gotaitubea.. Nacika ..	Tavuni .. Nokonoko .. Nawailavu .. Waicolo ..	..	Vatulele.. Malolo .. Waisovi .. Nasikawa ..	Racava. Wainika. Vakayacomuku. Namanuanunivudi.

	Province Yasawa.	Chief Nakena Roko.	First Class Districts.		Second Class Districts.		Third Class Districts.	
			Districts.	Name of Bulis.	Districts.	Name of Bulis.	Districts.	Name of Bulis.
10	Ra	Isikeli	Korotubu. Raki Raki.	..	Vuda	Nasorowale	Veitogo	(Not yet filled.)
11	Ba and Yasawas	Ratu Puniyani Vuki. .	Tavua Yasawa .. ..	.. ..	Nadi Sequnu Bulu	Navula. Tavaki. Nabeka.	..	..
12	Namusi	Matanitabua	Namosi	Naitaukeinivunisiqiwa	..	..	..	..

First Class, 31 at 10*l.* per annum
 Second Class, 35 at 5*l.* per annum
 Third Class, 20 at 3*l.* per annum

£

310

175

60

FA
LEeward



NAMES OF PROVINCES

FIJI.

- | | |
|------------------------|------------------------|
| 1. Lau | 7. Rewa |
| 2. Tokandrevi | 8. Kibaya |
| 3. Naitasiri & Taveuni | 9. Nadreka |
| 4. Lomaiviti | 10. Ra |
| 5. Macuata | 11. Ba and the Yasawas |
| 6. Drua | 12. Namaka |

H.M.S. "PEARL"

COMMODORE J.C. GODDENOUGH

1874.

*Survey of Baker
Fiji Islands*

Inclosure 7 in No. 6.

Sir,

"Pearl," Levuka, Fiji, October 9, 1874.

I AM engaged at this moment, as you are aware, in organizing a provisional Colonial Government to come into operation to-morrow upon the formal cession of Fiji to the British Crown.

The complaints, apparently well founded, which are publicly urged as to the cruelties and outrages perpetrated upon the helpless inhabitants of the country districts by the native armed constabulary, render it most desirable that that force should be at once considerably reduced in numbers, and placed under an officer capable of protecting the rural population from such abuse of power.

I do not know of any one so fitted for such a post as Lieutenant Olive of the Royal Marine Light Infantry, and I should feel much obliged, if you could, consistently with the requirements of the public service, spare me the services of that officer, for such an important temporary duty, until Her Majesty's pleasure be known respecting the permanent establishments of the new Colony.

I should propose, if it should meet your views, to offer Lieutenant Olive, while employed upon this temporary service, a salary at the rate of 200*l.* a year (in addition to his imperial pay and allowances), together with free quarters, and a travelling allowance of 7*s.* 6*d.* per day when absent on duty from head-quarters in Levuka.

I have, &c.

(Signed) HERCULES ROBINSON.

Commodore Goodenough,
Commanding Australian Station.

Inclosure 8 in No. 6.

Sir,

"Pearl," Levuka, Fiji, October 9, 1874.

I HAVE the honour to acknowledge your Excellency's letter of this date, and, in accordance with the request contained therein, I will desire Lieutenant Olive to follow your Excellency's directions, and he will be discharged to the shore at once to commence his new duties.

I have, &c.

(Signed) J. G. GOODENOUGH, *Captain and Commodore, 2nd Class,*
Commanding Australian Station.

His Excellency Sir Hercules Robinson, K.C.M.G.,
&c. &c. &c.

Inclosure 9 in No. 6.

Map.

Inclosure 10 in No. 6.

*Extracts from the "Fiji Times."**From the "Fiji Times" of September 23, 1874.*

LOCAL LABOUR.

To the Editor of the "Fiji Times."

Sir,

Levuka, September 19, 1874.

AT the risk of being troublesome, I have again to draw attention to the manner in which this Government, through their officer, Mr. Leefe, are oppressing the unfortunate Ra Coast natives. From two labour boats which arrived here, from that district this morning, I gather the following reliable information from a person direct from Mr. Leefe's prison depôt, and who states, labourers are obtained as follows:—

Any men and women whose taxes are in arrear, are summoned to appear before the Warden, Mr. Leefe, to answer to the same. The usual method pursued, is to send a

general summons, embracing perhaps, all the adult population of a large town, and 1s. mileage is charged individually, for service of summons. These unfortunate natives are compelled to attend the Court, and in the absence of any advocate, are mulet in the sum of 5 or 1 dol., as the case may be (male or female), together with the costs of Court, including the mileage, which amounts to about 4 dollars per man; of course they cannot pay, and are then sentenced to work out the amount, at the rate of 1s. per week, and are compelled to engage with planters for one year. Of course, the usual farce is gone through of asking these people if they are willing to work, but what answer dare they give, but "yee." Then what follows, husbands and wives are dragged away from their homes, their little surroundings become lost and destroyed. They have to endure a bitter and compulsory bondage of twelve months, with the prospect of returning to their cold and desolate hearths—with fresh taxes in view, *ad infinitum*. Is Mr. Consul Layard, Captain Chapman, and the Wesleyan Missionaries aware of this abominable slavery, which is perpetrated under their very gaze. In the interests of humanity, I call upon them to investigate this matter, and put a stop to it. Let it never be said that the Provincial Government, desirous as they may be to get the revenue, stooped to oppress the willing Ra natives, in this unjustifiable manner. In my former letter, I pointed out that there were many thousands of able bodied natives in other parts of the group, who should be called upon to help in meeting the revenue, and not let the burden fall wholly upon the Ra men. And as a planter, I warn the Windward planters, that the course now adopted by the authorities at the Ra is prejudicial to their best interests. And I call upon them to raise their voices against it.

I am, &c.
(Signed) SCRUTATOR.

Of late several communications have appeared in our columns touching upon the manner in which the natives who are unable to pay the governmental taxes are treated; and it is very evident, from the remarks of our correspondents, that the evil complained of is not confined to one locality, but is gradually, but surely, becoming more and more widely spread. We say that, in the first place, it is one which should never have been allowed to originate; and, secondly, not only that its progress should be stopped, but all proceedings taken in connection with it be at once set aside.

The Constitution of Fiji proclaims that all men are equal, and those who passed the laws under it, immediately proceeded to prove the absurdity of the proposition by enacting class regulations, and providing for class legislation; with what shadow of right, let the framers of these directions show; with what positive amount of wrong, let the numerous instances of cruel oppression, under which those whose cause we here advocate are labouring, speak with trumpet tongue.

It is an undoubted fact that, notwithstanding the introduction of a Parliament founded and formed upon a British basis, and of laws which, being found applicable to the circumstances of England, and to those of some of her Colonies, are sagely supposed to be most thoroughly suitable to this kingdom,—the power of the Chiefs, and the authority exercised by them over their erstwhile subjects, remain in full vigour, and are exercised without question on any hand. The Chiefs rule, and the people obey, by mere force of usage; and any attempt to convince the former, by argument only, that their position had changed with the course of events, would only excite their pitying ridicule, and but leave matters where they were before. In support of their titles and traditional rights, they still insist that their demands shall be met by those over whom they have so long held sway; and the happy "kai sai" finds himself in the enviable position of having still to provide for the wants, and obey the behests, of his feudal Chief, and at the same time meet the claims imperatively insisted upon by a solicitous and but too paternal Government.

Thus, after having satisfied the requirements of his more immediate, and certainly, to him, more powerful ruler, the native is compelled to contribute to the taxation imposed upon him by the general Power, which, if it cannot be paid in coin, will generously consent to take its claim in enforced servitude.

We are not aware as to how many of the white residents of the group, who neglected or refused to pay taxes, have ever been imprisoned on account of their laches to the State; but we certainly labour under an impression that a local law exists prohibiting imprisonment for debt, and that it does not except that, which of all shortcomings is undoubtedly the worst in Statesmen's eyes—the non-payment of taxes.

We have been stigmatized time after time, and with all that emphasis which only an assumed acquaintance with facts could justify, as being a community of slave-holders;

of fostering and encouraging the noxious seed and its evil growth in our midst ; of being callous and totally indifferent to the calls of humanity provided attention to them would affect our pockets ; and, generally, of viewing those who, in race and colour, may have the misfortune to differ from us, as mere beasts of burden, born but to minister to our desires or wants.

It has been one of the necessities of our unfortunate position that we have had to bear these imputations ; certainly not without protest, outspoken and true ; but the distance at which we are placed from our detractors has prevented our remonstrances and denials from acting as antidotes to that poison with which either ignorance or malice have sought to kill the truth ; and the whole body politic has suffered from these slanders and misrepresentations.

But when we find that slavery is becoming introduced under the guise of law ; when the cries of suffering victims reach our ears ; when we know that but a few weeks back one minor Chief proposed, and was with difficulty prevented from, the commission of suicide, and simply because he and his people were deprived of liberty under these most atrocious regulations ; it were worse than criminal to remain silent ; to refrain from awakening the attention of those who would think it shame to stand idly by while such things be, and to rest supine while interests they are bound to protect are being thus disgraced, thus betrayed.

The system is this. Some unfortunate natives are unable to pay their taxes, amounting in some cases to one, in others to a few shillings each. They are summoned to attend a Court, and, upon conviction for non-payment, are sentenced to a term of enforced servitude for some planter, or at the so-called Government plantation, the term of imprisonment being at the rate of one week for each shilling. But to the original sum in default is added the cost of summons, calculated, as we are informed, on a scale so monstrous that we are awaiting the details for publication ; and thus, with every conceivable or inconceivable expense added, they must be lucky men indeed who find themselves sentenced for any period less than nine or twelve months. Men, do we say ! We hasten to apologise. The same beneficent arrangement which has been so kindly anxious for the welfare of the sterner sex, has been no less solicitous for that of the softer ; and women, with their children, accompany their lords, and enforcedly share their labour, and contribute and add to the sum which thus finds its way into the Treasury chest, or, instead of salary, into the pockets of the district officers.

Is there no remedy for this state of matters ? No functionary who will call the official attention of the Judges to this violation of the fundamental principles of the Constitution, and obtain a judicial opinion as to whether the Executive Act is or is not *ultra vires*, and totally worthless ? Has our *ad interim* Government no lawyer whom it may consult, or will it be content to let this monstrous blot and disgrace upon our annals remain and grow to the dishonour of all ! We have given every publicity to the atrocious shame, and thus discharged our duty. Let others now perform theirs.

The native poll-tax, and the manner of enforcing it, is creating considerable dissatisfaction on all sides. In another column we publish a letter on the subject, and other complaints have reached us. Only last week, it appears, Mr. Leefe, Warrat Nananu, summonsed a whole town for arrears of taxes. Nineteen men and twenty women were sentenced, in default of payment to hard labour—the former for 35 weeks, and the latter to 19 weeks ; subsequently they were hired to planters at 1s. per week, until the amount of the tax, together with 5s. for summons and 10s. for serving it in each case (although only one summons was issued) be fully paid. This is collecting taxes with a vengeance, and such proceedings are eminently calculated to engender ill-feeling on the side of the natives, and to create disturbances in retaliation for such extraordinary treatment. It is no wonder that Her Britannic Majesty's Consul and the Commodore were everywhere met by natives, imploring to be relieved from the severe rule of the *de facto* Government, and beseeching those high officers to annex the islands to Great Britain.

To the Editor of the "Fiji Times."

Sir,

One of the speakers in a recent discussion in the English Parliament, on the question of annexation, declared that "domestic slavery" could on no account be tolerated. His views would meet with approbation throughout the British Dominions, but must have been galling to the minds of some of the self-constituted authorities in Fiji, whose

sympathies in favour of the execrable traffic are very well known (their protestations to the contrary notwithstanding.) In Fiji, slavery of a "domestic" and "legalized" type exists to an extent not dreamt of by the public abroad, and not a hand is lifted up to prevent it, or to bring the perpetrators thereof to the bar of justice. When the tax of five dollars a head on men and one dollar a-head on women was imposed, it was distinctly agreed that the Chiefs should cease their oppressive impositions upon the people. They have not kept their promise, and Thurston and Co. have connived at their misdoings. Notwithstanding the arbitrary proceedings of Chiefs, the Government tax is sought to be ground out of the natives with cruel severity. A certain Chief a short time ago ordered the people of Ovalau, in return for help rendered at the time of the Lovoni war, to plant thousands of yams, to be handed over to said Chief, in due season. The people spent all the hard earned cash they could get in purchasing seed yams, they devoted weeks in clearing land, and the preparation of gardens, innocently supposing that all this labour would be taken in lieu of the tax. But not so. The tax-gatherer pounced upon them for immediate payment of taxes, and because they failed to come forward, they were summoned to appear before Ratu Savanaca, to account for their misconduct! Had this occurred at the Ba, or Yassawas, unfortunates in arrears would no doubt have been shipped to Saivou Government plantation, *i.e.*, stockade, to work off an iniquitous fine in addition to the amount of arrears, just as many others are now doing. The authorities, to play off niggers into the hands of planters, for a term of one or two years' servitude, are pressing for the payment of an oppressive and iniquitous tax, and when British surveillance ceases (if such be the case) the tax and the pressure will be increased in proportion to the demand for labour. And thus this obnoxious traffic will be facilitated and continued, "as by law in such case made and provided." In spite of the Commodore's warning, prisoners of war have been hired out from Koro, to work on plantations at Taviuni. When, I ask, are these villainies to cease?

I am, &c.

(Signed) WILLIE WASP.

From the "Fiji Times" of September 26, 1874.

BRUTAL TREATMENT OF FIJIANS.

To the Editor of the "Fiji Times."

Sir,

I received the following statement from a trustworthy person, and believing it to be true in its main features, I send it to you for insertion in your valuable paper:—

"A Fijian was arrested by the native police, and taken before two white and one native Magistrates, on the charge that he had protested against certain parties paying taxes—by stating that they were not required by law to pay taxes. He was kept in custody one night, and next day ordered to work—fishing for Beche-de-mer. At this he was kept for three weeks. About the end of this period a report reached Ba that the Government was broken up, whereupon all the prisoners dispersed to their homes. Subsequently this man was arrested, tried, it is supposed, on the charge of escaping from custody, and marched off to Rakiraki Government Station, some 30 miles from his home, where he was kept at work for nearly two months. Then he was marched back in custody to Ba, and handed over to some white man, to fish for Beche-de-mer, no one knows for how long, no time having been named in his hearing, and no offence being named to him. And there he is at the present time, September 10. The poor fellow offered the Magistrates all the money he was possessed of, 10s., to be allowed to return to his home; but they said, 'Oh no, you must go and work.'"

Is not this a monstrous way of treating natives? And this is the way our paternal Government deals with the people of this country, while at the same time its leading members have been doing—and even now, are doing all they possibly can to prevent annexation taking place, telling the natives, that "if they cede the islands, they will be driven back into the mountains, and shot down like wild beasts." Even during the last week a report has been spread among the natives—and I know by whom—that "Mr. Thurston has got a paper, in which it is stated, that the British Government is willing to annex, but, on doing so, intends driving the natives from the islands in the centre of the group on to the mainland; and by-and-bye, when those lands are needed for the whites, will drive the natives back into the mountains."

It is time Sir Hercules Robinson arrived, and put an end one way or the other, to the existing state of things, by which the British Consul is Member of the Provisional Government, under whose authority are perpetrated such disgraceful acts as that com-

municated by my informant, and many others of a similar character, of which I am cognizant.

I am also informed that the wretched natives who are unable to pay their taxes are made to work on plantations at the rate of forty days for 4s., sixty days for 6s. At this rate the unfortunate wretches would have to work for 280 days in the year, to pay the yearly tax imposed upon a man and his wife.

I am, &c.
(Signed) WATCHMAN.

From the "Fiji Times" of October 7, 1874.

THE LABOUR TRAFFIC.

I observe in the last issue of the "Argus" that its editor gives a flat contradiction to the statements which have recently appeared in your journal, respecting the evils of the slave system, euphoniously and conveniently called the "Labour Traffic," which are perpetrated under the authority of the Provincial Government, the executive members of which are responsible for the outrages committed by the heartless monsters upon whom devolves the duty of collecting taxes and punishing the poverty stricken defaulters. Your contemporary says, "We need scarcely say there is not a word of truth in the letters and paragraph, &c., &c." Now, Sir, this assertion is a gross misstatement—to say the least of it—and if the writer be inspired from Nasova, as it is suggested, then the statement becomes a wilful deliberate falsehood, published, doubtless, with a motive. For I am able to state on the best authority, that information concerning the heartless treatment of the natives, the gross cruelties to which both men and women have been subjected under the iniquitous laws (and, in some instances, contrary to law) which are now being enforced, though condemned by the Executive two years ago as harsh and oppressive, has been given at Nasova. The outrageous proceedings of some of the Government officials are well known at Nasova. I am not prepared to say that all the details as given in "the paragraph and letters" referred to are literally correct, but I deliberately pledge my word that the facts are understated therein. The vile atrocious wrongs which have been perpetrated in connection with the labour traffic and the collection of taxes upon the helpless frightened natives—of both sexes—by a cowardly set of officials, assisted by a brutal, licentious soldiery, and connived at by the Executive, because the money—blood money—with God's curse surely stamped upon every coin, flows into the Treasury, are a foul blot even upon the worst Government with which this unhappy country has been afflicted; and yet, Sir, we are met on all sides with the canting cry "Oh! what a good thing for these poor natives to be taken away to the cotton plantations. You must civilize them first and then Christianize them." Out upon the foul-tongued, hypocritical, licentious ruffians, who commence the civilizing process by allowing the swinish soldiery to take possession of the villages, drive from their homes the husbands and fathers, and then perpetrate offences of which pandemonium might be ashamed; who continue this civilizing process by sentencing the unfortunate defaulting tax-payers to work out the tax, the cost of summons—a summons which, in numerous cases, was never served—mileage, &c., on plantations, and hand over men and women—some of whom are thus separated from husbands and wives and children—to labour agents (sending the infirm men and women to live as best they may or starve in their villages, which with their gardens have been devastated by the hurricane) who accompany the tax collector and then carry off their wretched victims to their vessels, when, while the men are fastened below under the hatches, the women are violated, and these infamous—I beg their pardon, these civilizers of "the poor natives" go on shore and boast of their brutalities—their swinish proclivities. I may add that, when the conduct of the soldiers was reported to their superior officer, he only said, "It is human nature you know, but if a case is proved against one of my men I'll punish him, not for the crime, but for being found out." I am prosecuting inquiries into the abominable doings on the Ra coast, and shall give fuller particulars by and by. In the meantime I challenge your contemporary to repeat the contradiction to which I have referred above.

I am, &c.
(Signed) FREDERICK LANGHAM,
Wesleyan Minister.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

"Pearl," at sea, en route to Sydney, October 17, 1874.

BEFORE leaving Levuka I paid a farewell visit to Thakombau and the other principal Chiefs who had assembled there from different parts of the group to confer with me upon the business of my mission.

2. As it may interest your Lordship to peruse the observations made by Thakombau and Maafu at this interview, I inclose notes of the conversation which took place on the occasion.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure in No. 7.

Notes of a Meeting between his Excellency Sir Hercules Robinson and the Vunivalu and Chiefs at Dryimba, on Thursday, October 15, 1874.

AT 3 P.M. his Excellency, Sir Hercules Robinson, accompanied by Commodore Goodenough, and the Honourable J. G. L. Innes, and by Mr. Wilkinson, the Chief Interpreter of the Government, proceeded by appointment to pay a farewell visit to Thakombau and the other Chiefs. Sir Hercules Robinson was received by the Vunivalu, Maafu, and all the other Chiefs who signed the cession, except Ratu Epeli, who had been obliged to leave for Bau, and Ratu Isikeli, who was also absent on duty.

Upon being seated Sir Hercules Robinson said—

"Vunivalu and Chiefs, as I leave to-morrow morning for Sydney, I have come here to-day to bid you all farewell. I have been greatly pleased with my visit to this country. I have been much struck by the beauty and fertility of the islands, and I trust I may have an opportunity of re-visiting you on some future occasion. When you return to your respective Provinces, I hope you will explain fully to those under you what has taken place between us in Levuka, and that you will both by precept and example impress upon your people the advantages of industry and good order.

"Having had experience of native races elsewhere, I know that with them hasty changes are difficult and undesirable. The people must be led forward step by step, and in framing a new system for the government of this country under the Queen, I have accordingly tried to carry out, as far as possible, what I understand to be your wishes, and to adhere at present as closely as practicable to native official customs, boundaries, and traditions.

"My object is, that the Provisional British Government which I have established should gain the respect, the confidence, and the affection of both Chiefs and people; and I trust you will all co-operate with me in giving effect to this policy.

"Although I am leaving Fiji I shall continue, until Her Majesty can make some permanent appointment, to watch over the interests of the country. If any Chief or other Fijian should feel that he is aggrieved, he will only have to communicate with me by a petition to insure for his complaint prompt attention and investigation.

"I will only, in conclusion, say one word as to the past and the future. As regards the past, I hope that all differences and animosities will now be forgotten and subdued. The Vuni-valu's ("Root of war") war-club has been sent with a dutiful and loving message to our Queen. I hope all other weapons of strife have in like manner been buried at the foot of the staff upon which we have raised the Union Jack.

"As regards the future. It is in your hands. As the Vuni-valu said to me the other day, 'The future of Fiji is Britain.' And you must all remember that whilst British rule is mild, it is at the same time firm and all-powerful. You are now servants of the Queen, and if you cannot each of you in your respective provinces govern the people in accordance with what Her Majesty's Government may think just and right, you will have to give place to those who can more correctly appreciate the obligations of the position. I trust no such necessity may arise, but in these matters it is true kindness to be frank and explicit.

"I have finished. But one word more. Believe me, that in accepting the trouble and responsibility of the Government of Fiji the Queen has but one desire—the good government of the country, and the contentment and happiness of all classes of the population."

After a pause, during which Thacombau signed to Maafu to speak first, but the latter would not do so, Thacombau spoke as follows:—

“I am glad to hear what the Governor has said on his coming to say good-bye, and I am pleased to be able to say that from the Governor’s first arrival up to the present time we have understood all that he has said and desired. I am glad on this occasion to hear such words of counsel, consideration, and goodness; and I hope that all present will now understand that they are Her Majesty’s subjects and servants, and that, as the Governor has said, their future is in their own hands. They will be judged according to their behaviour and their deserts, and according to such judgment they will stand or fall.

“We know that we are not here now simply as an independent body of Fijian Chiefs, but as subordinate agents of the British Crown, and being bound together by strength and power, that strength and power will be able to overcome anything which tends to interfere with or interrupt the present unity.

“Any Chief attempting to pursue a course of disloyalty must expect to be dealt with on his own merits, and not to escape by any subterfuge, or by relying upon any Fijian customs, or upon his high family connexions.”

Maafu then said:—

“What more can any of us say? The unity of to-day has been our desire for years. I have now been twenty years in Fiji, and I have never before seen such a sight as I see to-day—Fiji actually and truly united. We tried a Government ourselves; we did not succeed. That has passed away. Another, and a better and more permanent state of things has been brought into existence. I believe that I speak the mind of all present when I say that we are really and truly united in heart and will, and we are all gratified with what we have heard. We are true men, and will return to our homes knowing that the unity of Fiji is a fact, and that peace and prosperity will follow.”

The meeting shortly afterwards closed; and Sir Hercules Robinson, accompanied by Commodore Goodenough, the Hon. J. G. L. Innes, and Mr. Wilkinson, returned on board Her Majesty’s ship “Pearl.”

(Signed) J. GEO. LONG INNES.

No. 8.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

“Pearl,” at sea, en route to Sydney, October 18, 1874.

I HAVE the honour to forward, for your Lordship’s information, a copy of an address which was presented to me before leaving Levuka, on behalf of the Wesleyan Missionaries stationed in Fiji, together with a copy of my reply.

I have, &c.

(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 8.

To his Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its Dependencies, Governor of Norfolk Island, and, provisionally, Governor of Fiji.

May it please your Excellency:

ON behalf of the Wesleyan Ministers now resident in the Colony of Fiji, we beg to assure your Excellency of our intense satisfaction with the cession of the Islands of Fiji to Her Majesty the Queen of Great Britain and Ireland.

As the Church to which we belong has ever proved itself most loyal to the British Crown, we feel we only act as spokesmen for our absent brethren the Wesleyan Ministers of Fiji, if we beg of your Excellency to receive our assurance of continued loyalty to Her Majesty the Queen.

Your Excellency will allow us to say that, in our opinion, our work as Christian missionaries would have received serious injury but for the proclamation of British sovereignty.

We trust that your Excellency’s administration of the Government will be the means

of preventing evils in connection with a form of slavery, of the existence of which your Excellency is doubtless aware.

We desire to express our gratitude to Her Majesty's Government for your Excellency's appointment as Special Commissioner; we also wish to convey to your Excellency our appreciation of the services rendered to the cause of civilization by Commodore Goodenough and Mr. Consul Layard.

We venture to remind your Excellency that it is not forty years since missionaries representing the British Wesleyan Churches came to Fiji, then in a state of savage heathenism, and that, but for the blessing of God upon their labours, there would have been no British Fiji at the present day.

We pray God's continued blessing on your Excellency's administration of the Government of Fiji, and trust that your Excellency will ever be under Divine guidance.

Wishing your Excellency a safe voyage,

(Signed)

JOSEPH WATERHOUSE.
SAMUEL W. BROOKS.
D. S. WYLIE.

Inclosure 2 in No. 8.

Reverend Gentlemen,

Nasova, October 14, 1874.

I THANK you sincerely for the loyal and cordial Address which you have presented to me, and for the congratulations which you have been so good as to offer me upon the annexation of Fiji to the British Crown.

I entirely concur with you in the appreciation which you are so good as to express of the services rendered to Fiji by Commodore Goodenough and Mr. Consul Layard. The success which has attended my Mission is largely attributable to the care and ability with which those gentlemen had previously investigated the circumstances and requirements of the country.

I fervently trust that a new era has now dawned upon Fiji, and that under British rule, the moral as well as the material progress of the New Colony may, by the blessing of Providence, be effectually secured. The great social advances which have already been made within the last forty years from savage heathenism, are due to the self-denying and unostentatious labours of the Wesleyan Church; and I can therefore heartily wish to your missionary enterprise in this country continued vitality and success.

With renewed thanks for the good wishes which you are pleased to express for myself personally, I have, &c.

(Signed)

HERCULES ROBINSON.

To the Rev. Joseph Waterhouse,

„ Samuel Brookes,

„ D. S. Wylie.

No. 9.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

“Pearl,” at Sea, en route to Sydney, October 18, 1874.

I INCLOSE for your Lordship's information a copy of the letter of instructions which I addressed to Mr. Layard before leaving Fiji, pointing out to him the course which I thought it desirable for him to pursue while acting as my deputy in the temporary administration of the Provisional Government.

I have, &c.

(Signed)

HERCULES ROBINSON.

Inclosure in No. 9.

Sir,

Government Buildings, Nasova, October 14, 1874.

I PROPOSE leaving Fiji if possible to-morrow for New South Wales, and I have accordingly to request that you will, on my departure, assume the administration of the Government of this Colony.

2. As the primary responsibility in all matters connected with the provisional Government, pending the signification of Her Majesty's pleasure as regards the

permanent constitution of the Colony, will devolve upon me, notwithstanding my absence, I have to request that you will keep me informed, by each mail, of all events of importance, and of the general course of public business.

3. I inclose for your information a copy of my Commission as Governor of New South Wales, and of the Royal Instructions which accompanied it. I have to request that you will act upon the clauses in each document, so far as they may be applicable to the circumstances of Fiji.

4. In the event of your death, incapacity, or absence from the Colony, the powers and authorities vested in you will devolve, pending a reference to me, upon the next senior member of the Executive Council present in the Colony.

5. You will be guided, as regards the remission or commutation of all judicial sentences, by the general instructions contained in the clauses noted in the margin,* transmitting to me monthly a return of such remissions or commutations. In the event, however, of yourself and the Executive Council considering that the law, in the case of any capital sentence, should be left to take its course, I have to request that before carrying such sentence into effect you will forward to me a report of the circumstances, and await my instructions in the matter.

6. If circumstances should arise rendering necessary the suspension or dismissal from office of any officer of the Government, you will be guided as far as practicable by the instructions contained in section 2, chapter 4 of the Colonial Rules and Regulations, a copy of which I inclose herewith for your general information and guidance.

7. I shall be glad to receive from you by each monthly San Francisco mail, in addition to such Reports and despatches as you may feel it necessary to transmit to me, a copy of the Minutes of the meetings of the Executive Council, copies of the Government "Gazette," and a monthly statement of all receipts and disbursements on the public account.

8. With a view of supplying you at all times with the services of a reliable interpreter, I have refrained from placing Mr. Wilkinson, the chief interpreter, under any of the Executive Departments of the Government. He will be attached to yourself personally, and, when not required by you, will be available in any branch of the service in which you may from time to time think proper to employ him. I should be glad if he would submit to you some inexpensive scheme for the creation of a staff of efficient interpreters—a want which I believe is at the present time much felt in Fiji in the transaction of both public and private business.

9. As I have already so fully explained verbally in Executive Council the mode in which business is transacted in a Crown Colony, and the relations which should exist between the Administrator and the subordinate members of the Government, I need not go over the same ground here; but in the event of your experiencing difficulty upon any point, I trust you will fully and freely communicate with me. I may add that I am convinced that it would be the desire of the New South Wales Government to assist this new Colony during the difficulties which are inseparable from its establishment by all the means and appliances in its power. I trust, therefore, you will not scruple to intimate to me any wants which it may be in the power of that Government to supply.

I have, &c.

(Signed) HERCULES ROBINSON.

The Hon. E. L. Layard,

&c.

&c.

&c.

No. 10.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord,

"Pearl," at sea, en route to Sydney, October 19, 1874.

ON looking over my despatch of the 16th October,† I find I omitted to notice one item in the estimates upon which I intended to remark.

2. I refer to the appointment of Private Secretary to the Governor for the transaction of the business of Fiji. I found that, so long as the whole correspondence of Fiji passed through my hands, it could not be possible for the work to be conducted by my permanent Private Secretary, whose time is already fully occupied in attending to the business belonging to New South Wales and Norfolk Island. I therefore placed upon the Fiji estimates a sum of 300*l.* a-year, and have appointed provisionally to the

* Commission, clause 6; Instructions, clause 14.

† No. 6.

post Mr. Walter Hely-Hutchinson, who has been so good as to give me so far the benefit of his services gratuitously as Attaché to the special mission.

3. Whenever a permanent Governor is appointed by your Lordship, this amount, or such part of it as may be considered sufficient, will be available for his personal staff.

I have, &c.
(Signed) HERCULES ROBINSON.

No. 11.

Sir Hercules Robinson, K.C.M.G., to the Earl of Carnarvon.—(Received December 19.)

My Lord, "Pearl," at Sea, en route to Sydney, October 20, 1874.

IN my previous despatches* I have reported fully the circumstances attending the unconditional surrender of Fiji to the British Crown, and explained the arrangements which I have in consequence made for the establishment of a Provisional Government. It now only remains for me to offer a few observations upon several further points which call for the early consideration of Her Majesty's Government.

I.—*Pensions.*

2. The principal Chiefs having all been continued during good behaviour as Rokos of Provinces, it is only necessary to consider the cases of Thakombau and the late Chief Justice Mr. Charles St. Julian.

3. Thakombau had been receiving until March last an allowance of 1,500*l.* a-year; but upon the establishment of the *ad interim* Consular Government this allowance was, in consequence of the bankrupt condition of the Treasury, temporarily reduced to 900*l.* a-year, which latter amount I have continued to him pending your Lordship's decision as to his permanent pension. I think that having regard to all the circumstances, Thakombau's great age, over 70, and the manner in which he has unreservedly trusted to the generosity of Her Majesty, this is a case in which it will be politic to act with liberality. I would suggest that Thakombau should receive from the date of cession for the remainder of his life a pension of 1,500*l.* a-year, and a present of 1,000*l.* wherewith to purchase a vessel for his personal use,—a small matter, but one upon which he has set his heart. In the event of his death one-half of his pension, or perhaps two-thirds of it, namely, 1,000*l.* a-year, might be continued to the Queen, Andi Lydia, for her life if she should survive him. The pension might then lapse altogether, unless it were found necessary to continue some small portion of it to any of the three sons who may not at that time be employed in the public service of the Colony. The eldest, Ratu Epeli, is now the Roko of Tai Levu Province, receiving a salary of 340*l.* a-year; but Ratu Timoci is at present dependent on his father, as is Ratu Josefa, the King's youngest son, now about to return to Sydney for the completion of his education.

4. As regards Mr. Charles St. Julian, his health is much broken, and he is past 60 years of age. The office of Chief Justice has been abolished, thereby effecting a saving of 800*l.* a-year. Mr. St. Julian is entirely without means to support himself and his large family of eight children, and it would, under all the circumstances connected with the cession, be, I think, a scandal if a person who held such high office under the previous rule were allowed to become wholly destitute. I recommend, therefore, that a pension of 200*l.* per annum be allowed to Mr. St. Julian for his life, to be paid from the revenues of the Colony.

5. These two pensions are the only payments of this description which I think it necessary to recommend, and, if assented to, they will form an addition to the present authorized provisional expenditure of the Colony of 800*l.* per annum.

II.—*Liabilities.*

6. I have directed the accounts of the former Governments to be closed to the 10th of October, the date of cession; and all then outstanding revenue as it comes in to be applied to the reduction of the obligations unpaid at that date. It will, therefore, be some short time before the precise amount of the liabilities outstanding at the date of cession can be ascertained; but Mr. Thurston has supplied me with an approximate statement of the liabilities computed to the 30th of September, 1874, a copy of which I inclose. This document, although susceptible of alteration to some small extent, is no

* Nos. 2, 4, and 6.

doubt sufficiently accurate for all practical purposes, and will enable Her Majesty's Government to decide the general principles upon which they will be prepared to deal with these obligations. The account shows a total liability of 87,631*l.*, and the various claims may be divided into four classes :—

- (1.) Amount due to debenture holders.
- (2.) Amount due to Fiji Banking Company.
- (3.) Amount due to Government officials and servants for salaries and wages.
- (4.) Amount due to merchants and tradespeople for stores and supplies.

7. I observe in the statement that two sums of 665*l.* and 520*l.* for the amount short paid on salaries during the *ad interim* Consular Government are put down amongst the liabilities. But I think these sums should be struck out altogether. The salaries were reduced in March last, because it was estimated by Commodore Goodenough and Mr. Consul Layard that such a step was necessary to bring the expenditure of the Government within the receipts. The necessity for such a step has been proved by the result. Notwithstanding these reductions the revenue has been unequal to the expenditure, and the reductions, which might perhaps have been claimed if the revenue had proved sufficient to cover them, should not now be recognized amongst the liabilities of the Government.

8. As regards the remainder of the claims, it must be borne in mind that they have all accrued since 1871, and that the lenders practically trusted for the repayment of their advances to the success of the so-called Constitutional Government. That experiment has proved a complete failure. The security upon which the money was lent has therefore become valueless, and if the cession of the country had not been accepted by Great Britain, not a fraction of these liabilities would ever have been recovered by the Government creditors. It appears to me, therefore, to be competent for Her Majesty's Government with perfect equity to decide upon the manner in which these liabilities shall be dealt with, and that any amount received by the creditors of the late Government should be looked upon by them as so much recovered of a worthless debt—so much rescued, as it were, from the wreck of a losing venture. Viewed in this light, I do not think that the British Government is in any way called upon to give the creditors of the collapsed Fijian Government the full amount of their claims. For example, the 51,400*l.* of the 10 per cent. Government debentures which is the first item in the list of liabilities only realized 40,502*l.*, whilst the next item on the list, 6,940*l.*, is interest on the nominal debt at 10 per cent. calculated to the 30th ultimo. If the attempt to establish Constitutional Government had proved successful, the creditors might fairly have claimed to be paid according to the letter of their bond; but the experiment having collapsed, it would be preposterous for them now to expect to be paid by Great Britain the risk premium and high rate of interest which they might fairly have claimed if they could have recovered it from the Fijian Government.

9. I would suggest that the four classes into which I have divided the creditors of the late Fijian Government might be dealt with upon the following liberal principles :—Classes 1 and 2, the debenture holders and the bank, might be repaid the amounts actually advanced in each case, with the simple interest at the rate of 5 per cent. per annum. The arrears of salaries and wages due to Class 3 might, I think, be paid in full without interest; and the commercial and trade accounts found, upon full inquiry, to be due to Class 4, might be paid less 10 or 15 per cent. abatement—the amount charged in such cases being probably based upon a liberal calculation of the risks involved in the transaction.

10. If the accompanying statement of liabilities were adjusted upon this principle the amount of indebtedness would be reduced from 87,631*l.* to about 71,000*l.* or 72,000*l.*

III.—*Fiji Bank Charter.*

11. A copy of this document will be found attached to the report of Commodore Goodenough and Consul Layard already laid before Parliament. The Charter was granted on the 13th of August, 1873, by the King and his Ministers, the Constitution of 1871 being declared in the deed to have been at that time abrogated. The validity of the instrument may therefore, I think, fairly be questioned. It contains also some provisions which are inadmissible in a British Colony, such as a monopoly of banking for fourteen years, and exemption from taxation for a similar period.

12. I venture to recommend, therefore, that this Charter should not be recognized by Her Majesty's Government. The Company might, however, be allowed to retain so much of the 10,000 acres promised to them as they have actually been placed in possession

of, and a charter might be given to them such as is usually granted to Banking Companies in Crown Colonies on their complying with the ordinary conditions.

IV.—*Polynesian Land Company.*

13. The charter to this Company was granted by Thakombau in 1868, and professed, in consideration of 9,000*l.* paid in satisfaction of the American claims, to cede to the Company 200,000 acres of land in Viti Levu, Vanua Levu, and other parts of Fiji. In consideration of a further annual payment of 1,000 dollars, Thakombau promised to the Company a monopoly of banking for twenty-one years and perpetual exemption from taxation. The Company has received about 90,000 acres of land, and now claims the balance of 110,000 acres, with the other rights and privileges specified in the charter. I inclose a copy of a letter which, since my arrival in Fiji, I have received from the Manager of the Company. It must be borne in mind that, when Thakombau executed the Charter, he was only Chief of Mbau, and he had no right or title whatever to cede or deal in any manner with seven-tenths of the land professed to be granted to the Company. Of this the Company appear to have been warned at every step by the British Consul and the Senior Naval Officer on the Station, so that they entered into the speculation with their eyes open, and at their own risk. Of the 90,000 acres which have nominally been handed over, about from 400 to 500 acres only, in Suva Bay, have been actually occupied and cultivated by the Company; and nearly the whole of the valuable portion of the remainder is in the occupation of natives who could not be dispossessed and driven from their homes without great hardship and injustice. Indeed, it is asserted that, without Government support and protection, the Company could not venture to take possession of the greater portion of the 90,000 acres which have nominally been surrendered to them.

14. I would recommend that this Charter should not in any way be recognized as valid by Her Majesty's Government, but that, as the readiest mode of settling this claim, and with a view of preventing annoyance to the native occupiers, an offer should be made to the Company, without prejudice, to repay to them the 9,000*l.* advanced to the American Government, and to leave them in possession of the 400 or 500 acres now in the occupation of the tenants of the Company in the Suva District, and actually under cultivation; the remainder of the 90,000 acres, and all further claims under the Charter, being surrendered to the Colonial Government.

V.—*Titles to Land, European and Native.*

15. This question will not, I venture to think, be so difficult of settlement if it be taken up forthwith before further complications arise out of it. A Commission should at once be appointed to inquire into the merits of each case, and to report upon the validity of European titles, and the extent of the reserves required for the maintenance and support of Chiefs and tribes. I think it would be possible to find persons on the spot competent to undertake such an investigation for a moderate remuneration, and that it might be disposed of within a reasonable time, probably between two and three years, and for a total cost not exceeding about 5,000*l.*

16. The foreign claims to land are about 648 in number, and extend over an area of 854,000 acres, of which only about 16,500 are at present under cultivation. It is generally supposed that a large number of these claims will not bear investigation. In cases, however, in which it can be shown that a fair consideration was given according to the value of the land at the time of the sale, and that all the parties whose assent was necessary to the validity of a transfer were duly represented, and were aware of the nature of the transaction, and of the boundaries of the land professed to be made over; also that the sale was duly registered in one of the Consulates in the manner required by the land regulations of the past, I presume that Her Majesty's Government would recognize the title, and a Crown grant under the Great Seal of the Colony might issue to the occupier, upon his paying a fee towards the expense of the Commission, and a sum estimated upon the probable proportional cost of a general survey of the country.

17. As regards lands in the occupation of natives, the Commission should determine the extent and boundaries of the private properties of the Chiefs, as well as the limits of the reserves necessary to be set apart for the support and maintenance of the native population. Lands so reserved might perhaps be charged with half the cost of survey (as was done in the case of the Temple lands in Ceylon), and no portion of such native reserves should be allowed to be sold or leased without the consent of the Chief of the Qali and the heads of all the families of the tribe, as well as the assent of the

Government. But as the right of the people to the reserve is based upon the supposition of its necessity for their support, a willingness or desire on their part to part with a portion of it would imply that such portion had been unnecessarily reserved, and that the absolute proprietorship of it should have vested in Her Majesty, as provided for in the IVth Article of the Instrument of Cession.

VI.—*Lala or Service Tenures.*

18. Some misapprehension appears to exist in England as to the native tenure of land in Fiji, and it has sometimes been assumed that, because certain services are performed by the people for their Chiefs, the former are in consequence held in a state of domestic slavery. The tenure upon which all native lands in Fiji are held is precisely similar to that which exists to the present day in Ceylon as regards a large proportion of that country, namely, the Nindigamas, or lands of the Chiefs, and the Temple lands—the vast tracts belonging to Buddhist and Hindu temples. Upon all these estates the proprietor pays his wages in land, and the tenant pays his rent in labour. The system, however, is much simpler and less liable to abuse in Fiji than in Ceylon. In Ceylon evils grew out of the undefined nature and extent of the services, which led me to appoint a Commission to define and register all service tenures—a work which has just been satisfactorily completed; but in Fiji legitimate “lala,” as it is called, is well defined and recognized by both Chiefs and people. It is, I believe, limited to three services:—1. Assistance in hut building; 2. Aid in the cultivation of the Chief’s garden; and 3.—When required for visitors, or on other extraordinary occasions, supplies of food. It appears to me that it would be impolitic on the part of the Government, and unjust towards the Chiefs and the people, to interfere for the present, at all events, with this system, which, on the whole, works well, and is cheerfully acquiesced in by all concerned. For many years to come Fiji can only be governed as a British Colony through the instrumentality of the native Chiefs. The effect of abolishing these service tenures would therefore be to weaken the power of the only subordinate agency available at present for the good government of the country; and the people, freed from existing restraining influences, would give way to their natural improvident and slothful inclinations, and would become, as pointed out by Mr. Thurston in his able and interesting paper on the native ownership of land in Fiji, “useless and perhaps troublesome.”

19. I think that when the Land Commission shall have decided on the native reserves that the Chief of every Qali should be acknowledged as the owner of the lands of the Qali, or tribe, and the guardian of the interests of his people in such lands. The people of every Qali should be viewed as tenants of such lands under the chief with hereditary rights of leasehold, subject to the duties of lessees towards the chief proprietor, to whom they should pay as a head rent for his support such “lala” as may be mutually agreed on in the shape of labour or produce.

VII.—*Mountain Tribes.*

20. The policy to be pursued as regards the mountaineers will be to open up as fast as the available means of the Government will permit, the roads between the mountain villages and the sea-coast.

On a reference to the map which accompanies despatch No. 7, it will be seen that the “Colo,” or mountain district is entirely surrounded by the six provinces in Vitu Levu, which may be considered as comparatively civilised, and over each of which a “Roko,” or native chief, has been appointed. The mountaineers are not supposed at present to exceed in number about 7,000, and they are believed to be decreasing. As the means of communication with the interior improve, the mountain tribes will gradually follow the example of their maritime neighbours, and accepting christianity and a teacher, acknowledge submission to the Government. In the meantime they may be perhaps a little troublesome to those pioneers who first settle down in their immediate vicinity; but they will never be dangerous. It would at any time be practicable, if necessary, in a few months, and at a very small expense, to march a native force across the country and command their submission. It will be better, however, if possible, to allow this result to be brought about by the improvement in the means of communication and the natural course of events.

21. My time, during the three weeks I was in Fiji, was so fully occupied at first in conducting the negotiations connected with the proposed cession of the country, and subsequently in making the arrangements necessary for the establishment of a Provisional Government, that I have been unable to look as closely as I should have wished

into the details of some of the questions to which I have briefly adverted in this despatch. I have been unable, therefore, to do more than indicate the general principles upon which, in my opinion, these outstanding difficulties may be satisfactorily arranged; and in case Her Majesty's Government should concur in my recommendations, I will conclude by briefly sketching out the mode in which the funds might be raised for carrying my suggestions into effect.

22. I would submit that Parliament might be asked to sanction a loan to Fiji of 100,000*l.*, so as to start the new Colony. The terms might be the same as those on which a quarter of a million sterling was recently offered at my suggestion by the Imperial Government to Ceylon for the improvement of Galle Harbour, namely, in return for a payment of 5 per cent. for thirty years; at the expiration of which time the principal of the debt, as well as the interest upon it, would thus be extinguished. If this were agreed to, 5,000*l.* a year might be made a first charge upon the revenues of the Colony for the next thirty years until the debt were paid off. The security would be undoubted, as the revenue would never be less at starting than 25,000*l.*, and it will probably in a few years be double that amount.

23. The annual expenditure of the Colony would then be as under:—

	£
On account of interest and principal due to Imperial Government	5,000
Estimates as authorized for the year ending 10th October, 1875	17,902
Salary for a Governor, not included in above	1,200
Additional pension to Thakombau, 600 <i>l.</i> ; and pension to Mr. St. Julian, 200 <i>l.</i> ..	800
	<hr/>
	24,902

24. The 100,000*l.* might be applied as follows:—

	£
Liabilities of previous Governments since 1871, say	72,000
Present to Thakombau for purchase of yacht	1,000
Re-payment to Polynesian Company of sum paid by them in satisfaction of American claims	9,000
A steamer for inter-insular communication	5,000
A schooner for the same purpose	3,000
For erection of a temporary wooden Government house	2,000
Land Commission expenses	5,000
	<hr/>
	97,000

Leaving a small balance of 3,000*l.*, which might be appropriated to the preliminary expenses of a general survey; a work which would soon become self-supporting by means of survey fees and sales of land. With such a fair start as this loan, so applied, would give to the new Colony, I should have no fear for its future solvency. All improvements, beyond those already provided for, and all increase to establishments and salaries, and all public works, could then be made dependent upon the continued development of the resources of the country, and the consequent improvement of its revenue.

I have, &c.

(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 11.

May it please your Excellency, *Temple Court, Melbourne, September 14, 1874.*

BY order of the Directors of the Polynesia Company, I have the honour to address your Excellency in relation to the claims of the Company here named.

In the year 1868, the United States being about to take possession of the Fiji Islands for debts due to American citizens, this Company became incorporated, and paid off the American claims in full, amounting to 42,248 dollars, for which valuable and timely service a Charter was granted to this Company by the Fijian King and Chiefs, binding them to hand over forthwith 200,000 acres of good land, and at the same time conferring certain banking and trading privileges, together with exemption from taxation for ever.

Notwithstanding that this Company has long since fulfilled its part of the contract, and made unceasing efforts to get possession of the lands to which it is so justly entitled, it has so far succeeded in getting only 90,000 acres, leaving the balance of 110,000 acres still to be received.

Through the want of good faith on the part of the Fijian authorities, the status and resources of this Company have suffered most severely, while the loss and inconvenience to the shareholders individually have been great and vexatious; so much so, indeed, that

some of them, as British subjects, have been on the point of claiming the protection of the Imperial Government.

Your Excellency having proceeded to the Fijis, with the view of bringing those fine islands under British rule, will doubtless see that the question of annexation is brought to a speedy and happy issue, in which event the Polynesia Company, in addition to receiving the 110,000 acres of land still due to it, will, for a fair consideration in money (to be paid by the new Colony), forego all claims to rights and privileges. But should the Fijis not become a portion of the British Empire, the Company will reserve to itself the right of claiming to the full extent of the Charter.

Trusting that your Excellency will be graciously pleased to confirm the just claims of this Company, I have, &c.

(Signed)

GEO. T. WYLEIGH, *Manager.*

His Excellency Sir Hercules Robinson, K.C.M.G.
&c. &c. &c.

Inclosure 2 in No. 11.

APPROXIMATE Statement of Liabilities of the Fijian Government, computed to September 30, 1874.

	£	s.	d.	£	s.	d.
Amount of current debentures—						
1 year	4,500	0	0			
3 years	8,500	0	0			
5 years	38,400	0	0			
				51,400	0	0
Accrued interest on above, calculated to 30th September, 1874 .. .. .	..	..	..	6,940	0	0
Certificates of indebtedness in circulation—						
4 months	8,669	12	2			
6 months	933	2	7			
12 months	1,794	15	6			
(Natives) 4 months	146	16	5			
				11,544	6	8
Overdraft at Fiji Banking and Commercial Company Treasury note account and interest, calculated to 30th September, 1874 .. .. .	..	..	..	12,157	16	3
Overdraft at Fiji Banking and Commercial Company, "Consolidated Fund Account," and interest, calculated to 30th September, 1874 .. .. .	..	..	..	1,197	1	6
Amounts due to intestate estates, viz. :—						
Wm. Burnes	183	3	10			
John Muir	68	7	8			
Wm. Ross	11	14	0			
E. V. Sandilands	63	15	4			
				327	0	10
Amount due to—						
Captain Lyons .. .. .	..	..	..	808	7	0
Co-operative Store .. .. .	..	..	..	122	0	0
Civil Servants, being one-fifth short paid salaries over 200l. .. .. .	..	..	..	665	0	0
Amount due to Native Governors, being one-fifth short paid on salaries .. .. .	..	..	..	520	0	0
Estimated amount of public accounts and salaries unpaid .. .. .	..	..	..	1,750	0	0
Amount of Treasury notes in circulation .. .. .	..	..	..	200	0	0
				87,631	12	3

Summary of Debentures Outstanding.

Currency.	Amounts.	Amount realized.	Remarks.
	£	£	
One year	4,500	3,900	
Three years	8,500	7,070	
Five years	38,400	29,532	
	51,400	40,502	

One Year Debentures.

Date.	No.	Holder.	Selling Rate.	Amounts.	Amount Realized.	Remarks.
1872.			£	£	£ s.	
Aug. 1	1/25	J. C. Smith ..	{ 1,500 at 90 } { 1,000 at 95 }	2,500	2,300 0	Paid and cancelled.
Sept. 20	76/82	G. Hennings ..	Par	700	700 0	Nos. 76 and 80 paid and cancelled.
Dec. 1	26/75	C. L. Sahl ..	90	5,000	4,555 0	Paid and cancelled.
1873.						
Oct. 22	83/84	D. W. L. Murray ..	Par	200	200 0	Paid and cancelled.
Dec. 24	85/86	Ditto ..	Par	200	200 0	
Dec. 24	95/96	Ditto ..	Par	200	200 0	No. 95 paid and cancelled.
Oct. 1	..	Fiji Banking and Commercial Company	85	4,000	3,400 0	Cancelled.
Dec. 1	1/40	Ditto ..	85	4,000	3,400 0	
				16,800	14,955	
		Less amount paid ..	..	12,300		
		Balance outstanding ..	..	4,500		

Two Years' Debentures.

Date.	No.	Holder.	Selling Rate.	Amounts.	Amount Realized.	Remarks.
1871.			£	£	£ s.	
Dec.	1/5	Dr. Chalmers..	86	500	430 0	Paid and cancelled.
	/35	C. Phillips ..	86	3,000	2,580 0	Ditto.
		Ditto ..	86	1,500	1,177 9	Ditto.
				5,000	4,187 9	

Three Years' Debentures.

Date.	No.	Holder.	Selling Rate.	Amounts.	Amount Realized.	Remarks.
1872.			£	£	£ s.	
Dec. 13	101/120	Captain Lyons ..	86	2,000	1,720 0	
1873.						
Mar. 1	1/15	J. S. Macfarlane ..	90	1,500	1,350 0	
Sept. 1	1/50	C. Phillips ..	80	5,000	4,000 0	
				8,500	7,070 0	

Five Years' Debentures.

Date.	No.	Holder.	Selling Rate.	Amounts.	Amount Realized.	Remarks.
1872			£	£	£	
Dec. 1	1/50	C. L. Sahl ..	70	5,000	3,500	
	51/100	Ditto ..	..	5,000	3,500	
	101/150	Ditto ..	..	5,000	3,500	
	151/158	Wilson and Murchie ..	90	800	720	
	159/161	Ditto ..	..	300	270	
	162/171	Cancelled ..	..	..	..
	172/178	Captain Lyons ..	86	700	602	
	179/180	Cancelled ..	..	..	..
	181/183	Wilson and Murchie ..	90	300	270	
	184	W. Berry ..	..	100	90	
	185/215	C. L. Sahl ..	70	3,100	2,170	
	216/217	W. Berry ..	90	200	180	
	218/219	C. L. Sahl ..	70	200	140	
	220/224	Ditto ..	..	500	350	
	225/226	Wilson and Murchie ..	90	200	180	
	227/229	W. D. Brewer ..	..	300	270	
	230/241	C. L. Sahl ..	70	1,200	840	
	242/246	Wilson and Murchie ..	90	500	450	
	1/30	Bank of New Zealand ..	80	15,000	12,500	
				38,400	29,532	

Inclosure 3 in No. 11.

Upon the Native Ownership of Land in Fiji.

THE ownership of land in Fiji, whether absolute or qualified, is based upon well settled law or custom; in some matters of minor detail alone is this law or custom obscure. Since the advent of Europeans, Fijian customs have been slowly altering, old ideas and usages have undergone important changes, and in no respect have they changed so much as in the relations existing between the Chief and his people. It is possible that the rapidity of future changes, if not moderated, may demolish the very basis of Fijian civil or social polity before the principles of modern civilisation can be understood by the native mind. The controlling power of the Chief will be broken down, causing regret and discontent upon his part, while the common people, freed from the only restraining power they have been taught to recognise, will indulge largely in the "luxury of idleness" and become useless, perhaps troublesome.

This possible and highly probable result may be avoided by continuing the relations at present existing between the Chiefs and people in connection with the lands.

Mr. Consul Prichard ("Polynesian Reminiscences," p. 242) says, "all the land purchases effected prior to my arrival in Fiji gave more or less trouble. In those days the natives had not learnt the full effect of the sale of land, its total and final alienation, whenever, as was generally the case, the land was left unoccupied by the purchaser. The natives continued to use it. When in the course of time the purchaser attempted to occupy it the natives resisted, and there was work and trouble for the Consul.

Every inch of land in Fiji has an owner. Every parcel or tract of land has a name, and the boundaries are defined and well-known. The proprietorship rests in families, the heads of families being the representatives of the title. Every member of a family can use the land attaching to the family. Thus the heads of families are the nominal owners, the whole family are the actual occupiers. The family land maintains the whole family, and the members maintain the land of the family. A Chief holds his land under precisely the same tenure as the head of his family, and his personal rights attain only to the land pertaining to his family, in which right every member of his family shares so far as to use any portion of the land. But the Chief is also head of his tribe, and as such certain rights to the whole lands of the tribe appertain to him. The tribe is the family, and the Chief is the head of the family. The families of a tribe maintain the Chief. In war they give him their services and follow him to the fight. In peace they supply him with food.

In this way the whole tribe attains a certain collective interest in all the land held by each family, and every parcel of land alienated contracts the source from which the collective tribal support of the Chief is drawn. From this complicated tenure it is clear that the alienation of land, however large or small the tract, can be made valid only by the collective act of the whole tribe in the persons of the ruling Chiefs and the heads of families. Random and reckless land transactions under those circumstances would be simply another seizure of Naboth's vineyard for which the price of blood would inevitably have to be paid."

Whilst the facts laid down by Mr. Prichard as above quoted are incontestable, there is a loose application of the words "family," "tribe," and "Chief," which it is desirable to avoid. There is no distinction made between Chiefs. In one place it is said "the tribe is the family," and on further "the families of a tribe maintain the Chief," and "the Chief is the head of the family."

It thus appears doubtful whether the reader is to understand that a family is an aggregation of tribes, or that a tribe is an aggregation of families. Neither the tribal system nor the tenure of land is in fact at all complicated, nor even of a novel character.

The people of Fiji are divided into Matanitus and Qalis. The Matanitu is subdivided into Qalis, the Qali being subject to its particular Chief, who with the people are subject to the superior Chief, the Head of the Matanitu, the Head of the tribe.

From long and careful inquiry I am of opinion that the people hold their lands from superior Chiefs, that is to say, from their fathers or their gods (see note) under a feudal system that has existed from time immemorial.

The principles of this system recognise the Supreme Chief as the granter of lands, and leaves the usufruct only (subject to certain conditions) in the hands of the grantee, i.e., the Qali Chiefs and people.

In proof of this conclusion, there are certain evident facts. All Qalis owe either military or domestic service to their Lord or Chief. The former are known as "Batis"—

Mbati; their service is purely military, and they enjoy special privileges among the people.

The Qali-taukei (owner) are most likely families, of whom the head is descended from a branch of the ruling Chief's own family, or, in some cases, is a tribe formerly independent but which unable to so maintain itself amidst the convulsions of barbaric life (one of treachery and warfare) has been compelled to seek the protection of some powerful Chief. It "commended" itself to some such Chief by voluntary submission, the payment of tribute, and render of personal services.

The Qali lewe-ni-kuro are descendants generally of common people who have been placed upon conquered land, lands from which the original occupants have been driven beyond hope of return, or who have been wholly exterminated.

The man of this Qali is a mere "Villein appartenant." His duty is to plant food for himself and family, but above all for his Chief. He also has charge of his Chief's cattle, pigs, and poultry, and thus provides daily food for the Chief's household; or, when ordered to do so, the materials for a public feast.

In return, he is protected from aggression, and receives a share of the property presented by other Qalis to his master. He may also rightfully use all the land he requires or can cultivate, so long as he renders the domestic services assigned to him; but he may also be removed from the land by the exercise of the power that placed him there.

This last condition is not unlike the Saxon ceorl, described by Palgrave. He and the land might be the subject of gift, but any such gift—as that of North Vanua Balavu, by Tui Kilakila, to Maafu—was, in effect, the disposition of the land with the ceorl, and the services the ceorl performed for the land; the person of ceorl was not the subject of such gift, but only his services.

The people of Bureta, upon the Island of Ovalau, for example, are "Lewe-ni-Kuro" (kitchen men), whose duty it is to find food for the ruling Chief, in return for the occupation of land.

Other families of the tribe, or more properly, other Qalis, which is an association of families, present mats, earthen pots, salt, native cloth, &c., in return for their occupation.

When a "Caboro-Thamboro" (presentation) is made by any Qali, its Mata, or Herald, lays hands upon the offering and says, addressing the Chief: "Mo yalo vinaka mo taura oqo, keimami kila ni lailai. Ia ke lailai ko keimami na kenai kuri ko keimami. Mo yala vinaka mo taura oqo me tawa tiko na nomu vanua."

The meaning of which is: "Be favourably disposed (to us); we know it is little; but if it is little, we are the increasers" (literally, "Let us be the increase," i.e., "Take us and eat us"). "Be favourably disposed (to us); accept this that we may continue to occupy your land."

Should an independent tribe be conquered, the defeated Chief, in his extremity, will send a basket of earth to the victor, thus offering to cede his full undoubted right as Chief and father of his tribe. If accepted, the vanquished are spared, and thenceforward hold their lands under a new Lord.

All these well-established customs point to the fact that the lands belong to the head or ruling Chiefs of the tribes, and are held by his subordinate Chiefs, or vassals, subject to service which is called "lala." This "lala" is equivalent to rent; and, if properly rendered, involves no wrong or unjust principle. If used despotically, it becomes "vaka-saurara," or tyranny.

The one is a recognized right or obligation of Chief and people respectively; the other is not recognized, and, in time, produces upon Fijians the same results as tyranny does among other people: conspiracy and rebellion, with secret murder or open war.

When by loan or gift sub-infeudation occurred under the old Fijian laws, the ruling Chief lost none of his seigniorial rights. There existed an unwritten law quite as good as the old Statute "Quia Emptores."

Thus, many years ago, before Fiji was known to Europeans, a number of Malayo-Polynesians drifted to the Island of Nairai. They are supposed to have been Tongans, and are known to this day as "Kai Wai Tonga," which perhaps means men from Tongan water or Tongan Sea. The Chief at that time ruling at Bau gave these people land at Na Korobamba (Nairai Island), and they were "adopted" by, or amalgamated with, the tribe, as many other bands of Tongan or Samoan refugees have been adopted.

The "Kai Wai Tonga" took wives, rendered service to the Chief for their lands, and became subject to the "Patria Potestas" as absolutely as if they had been natural-born Fijians, and so their descendants remain to the present time. Many other instances of a similar nature could be given. White men were "adopted" in the early days of

their settlement either for the sake of the wealth they brought to the tribe as petty traders, for the personal use they were to the Chiefs as mechanics, or on account of their superior craft and boldness in politics and war. Two men, one the antithesis of the other, may be cited as examples. One, Charles Savage, a Swede by birth, who led King Tanoas armies, a reckless, cruel, profligate man, a terror to the enemies of Bau, and a pillar of strength to its Chief. He was adopted by the King for the services he rendered, and for those only. The other, Mr. David Whippy, settled down in Fiji about the year 1820-22. He was a man of firm yet mild temperament, sagacious to a high degree at Fijian Councils, and respected by natives and whites alike as a shrewd trustworthy man.

For many years he lived at Levuka, holding the position of Mata-ki-Bau, an important post in those days. He assumed also (among the Fijians only), a native name. David Whippy was thus "adopted" by the tribe, and, it would appear, for the sake of the services he rendered.

At this period it seems that food, land, and women, were given "upon demand" to white men, who thus, by the fiction of adoption, were admitted into the tribe. The act of parting with land does not appear to have carried with it any perception of the meaning conveyed by the words "grant, bargain, and sell." It seems to have been no more than an intention to convey the usufruct during the grantees residence in the tribe, or perhaps for his lifetime. The idea of selling large blocks of land in fee simple, whereby the ruling Chief lost his seignorial rights, has only been acquired gradually, and since the steady influx of Europeans commenced.

None, or very few, of these old grants have been questioned, probably because land, and not people, has always been in excess, and, therefore, the descendants of the first settlers may reasonably claim to hold their estates by prescriptive right. Nevertheless, it may be safely assumed that the act of conveying land to an European and his assigns, "for ever," was a thing not understood twenty years ago. All evidence tends to show that the lands of Fiji are vested in the ruling Chiefs of tribes, and occupied by their subordinate Chiefs (or vassals) and people, in consideration for past, present, and future services. While the Ruling Chief has the right, and also the power (or he does not rule) to remove at pleasure any sub-Chief and people from the lands they occupy, I am of opinion that, though submitted to, such action of removal would be regarded as an act of gross injustice, if there had been no failure upon the part of such subordinate Chiefs and people to perform the services required of them. The rule adopted with reference to this matter by Her Britannic Majesty's Consular Officers, and closely observed, so far as I am aware, from 1859 to the present date, is, I believe, a strictly just one. By that rule I do not think any subordinate Fijian landholder or occupant can, or should, alienate land without the consent of the Ruling Chief, inasmuch as the Chief holds most important rights in respect to such land, the loss of which would seriously affect his position in regard to other Chiefs, and possibly render him unable to perform certain obligations due by him to other families of the tribe; nor, on the other hand, do I think the Ruling Chief should alienate land, except with the consent of the occupants, so long as they (the occupants) render the services demanded by their Chief, and sanctioned by immemorial usage and custom.

NOTE.—Their fathers or their Gods.—It may not be out of place in connection with the above memorandum to advance one or two facts with the object of showing that the head of the tribe, *i.e.*, its highest living male ascendant, was regarded as its father. He held absolute authority over the persons, property, and lives of his people, and both before and after death had the same reverence shown to him as to a God.

The Fijian language makes no distinction, in terms, between the marks of respect and reverence rendered to a Chief and those rendered to a God. I will select a few words, with their meanings, from Hazelwood's Fijian Dictionary. "1. Tama—a father. 2. Tama-ka—To reverence, to clap hands, or to make some expression of a God or Chief. 3. Cabora—To offer or present property to a God or to a Chief. 4. Ai sevu—The first dug yams, the first fruits, which are generally offered to the Gods and given to a Chief of a place. 5. Tauvu, and Veitauvu—Literally, to have the same root, or sprung from the same source; used of people who worship the same God: 'they are allowed to swear at and take each others property.' This last word (Veitauvu) points to something more than "springing from the same stock." In connection with the highly elaborate Fijian system of relationship, which resembles in almost every particular that of the Seneca, Iroquois, and other American Indians, on the one hand, and that of the people of South India speaking the Dravidian language (Tamil) on the other, it points to a bygone

existence of the communal family, a state now regarded with horror and disgust, and forbidden by stringent and elaborate laws.

"Veitauvu" are descended from the same communal family, they have the same fathers, or, in other words, the same Gods; they may, as communists, take each others property, and may swear at each other, or, rather, at each others fathers. Between those people, not being Veitauvu, who swear at each others fathers, there is only one issue—the club. The reason why Veitauvu may swear at each other is this, that inasmuch as the ancestors sworn at are their common ancestors no harm will come of it, so they swear at each other with impunity. But to swear at the ancestors of another man or tribe, is an insult for which life only can atone.

The swearing of Fijians is like that of the High Asiatic peoples. Two men quarrelling never swear at each other personally, nor even utter their respective names; they will curse their fathers, their grandfathers, and their most remote ancestry. The reason being that to curse a Fijian's father is to curse his God. The highest living male ascendant of the tribe is the highest living representation of the Gods; he is invested with extreme power, and held worthy of extreme reverence. The successive stages of authority among the Fijian people is first, that of the individual family; secondly, the association of many families, which constitute the Qali; and thirdly, the union of these Qalis, under their recognized hereditary Chief, which constitutes the Matanitu. It is the Family, Gens, and Tribe of early history found extant, and as a system still closely observed in Polynesia at the present day.

Fiji, April 6, 1874.

No. 12.

The Earl of Carnarvon to Sir H. Robinson, K.C.M.G.

Sir,

Downing Street, December 24, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 18th of October,* forwarding a copy of an Address which was presented to you before leaving Levuka, on behalf of the Wesleyan missionaries in Fiji, together with a copy of your reply.

I notice with pleasure the appreciation of the labours of this Mission which is expressed in your reply.

I have, &c.
(Signed) CARNARVON.

No. 13.

The Earl of Carnarvon to Sir H. Robinson, K.C.M.G.

Sir,

Downing Street, December 24, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 17th of October.†

I have perused with satisfaction the notes which you have forwarded of your friendly interview, on the 15th of October, with Thakombau and the other principal Chiefs, on the occasion of your leaving the Islands.

I have, &c.
(Signed) CARNARVON.

No. 14.

The Earl of Carnarvon to Sir H. Robinson, K.C.M.G.

Sir,

Downing Street, December 24, 1874.

I HAVE the honour to acknowledge the receipt of your despatches of the 11th of October‡ on the subject of the formal cession of Fiji to the British Crown and the presentation of King Thakombau's war-club to Her Majesty.

Copies of these despatches have been duly laid before the Queen.

I have, &c.
(Signed) CARNARVON.

* No. 8.

† No. 7.

‡ Nos. 4 and 5.

Admiralty to Colonial Office.

Sir, *Admiralty, January 13, 1875.*

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Earl of Carnarvon, the copy of a letter from Commodore Goodenough, Senior Naval Officer in Australia, submitting certain observations on the revenue and expenditure of Fiji, with reference to a remark made by Lord Carnarvon in a debate in the House of Lords in July last.

It is requested that the inclosures to this letter, viz., a copy of the "Fiji Government Gazette" of 18th November, 1874, and an extract from the "Fiji Government Gazette" of 14th October, may be returned when done with.

I am, &c.
(Signed) ROBERT HALL.

Inclosure 1 in No. 15.

Sir, *"Pearl," at Sydney, November 18, 1874.*

IN a debate on the annexation of Fiji to Great Britain, as a Colony, which took place in the House of Lords on Friday, the 17th July, 1874, the Secretary of State for the Colonies is reported to have said:—

"The calculations of the Commissioners are not as satisfactory as I could have desired. In fact, I think they are illusory."

I therefore trust that the Lords Commissioners of the Admiralty will afford me an opportunity of showing that the calculations which were made by me and Mr. Layard as to the future revenue and expenditure of Fiji, though not intended to be more than a rough sketch of the probable financial state of the future Colony, were not "misleading," and still less, as I humbly think, "illusory."

2. I inclose papers showing the actual receipts into, and expenditure out of, the Fijian Treasury for the six months ending September 30, 1874, and also Sir Hercules Robinson's estimate for the first year's expenditure of Fiji as a Colony.

3. It will be seen that Sir Hercules Robinson, while taking the same estimate of receipts from Customs as myself and Mr. Layard, also calculates upon receiving 4,500*l.* in money for native taxes, in addition to labour contributed and not commuted.

4. Bearing in mind that the estimate of Mr. Layard and myself was one for the probable few first years, while Sir Hercules Robinson's is for the very first year, also that the revenue collected from March to September of this year (1874) was paid in at a period of the greatest possible commercial depression and scarcity of money, I think that the papers I inclose justify a more favourable view of the finances of the new Colony of Fiji than Lord Carnarvon has taken.

5. I observe in the earlier part of the speech of the Secretary of State that Lord Carnarvon states that Lord Kimberley "sent out the two Commissioners whose Report is now on the table."

Their Lordships are aware that I was already on my way to assume the naval command on this station, and that Mr. Layard was designated as Her Majesty's Consul at Fiji and Tonga, when we were requested to meet and to report on the condition of Fiji. Though the distinction is otherwise unimportant, yet I venture to draw attention to it, and to hope that the fact of our having endeavoured to perform a duty confided to us, out of our immediate sphere of action, to the best of our ability, may procure us the indulgence of Her Majesty's Government, who will, I trust, put a favourable interpretation on our proceedings.

6. I request that this letter may be added to the papers on Fiji presented to Parliament.

I have, &c.
(Signed) JAMES G. GOODENOUGH,
*Captain and Commodore, 2nd Class, Commanding
Australian Station.*

The Secretary of the Admiralty.

Inclosure 2 in No. 15.

The "Fiji Government Gazette" of October 8, 1874.

STATEMENT of Revenue and Expenditure for the Half-year from 1st April to 30th September, 1874.

				RECEIPTS.					
To—				£	s.	d.	£	s.	d.
Customs duties (1,977 <i>l.</i> 15 <i>s.</i> , Treasury Notes)				5,675	11	5
Shipping dues	300	7	3
Land taxes	68	6	0
Native taxes—									
North Viti Levu	1,126	9	9
East	825	14	9
South	324	15	10
North Vanua Levu	703	0	3
Central	267	6	0
Kadavu	419	16	6
Lau	426	15	11
Cakaudrovi	54	8	0
							4,148	7	0
Fees and fines—									
Supreme Court	196	16	8
Warden's Court	182	14	0
Provincial Courts	118	4	6
							497	15	2
Wine and spirit licenses (74 <i>l.</i> due to the Municipality)			354	0	0
Postal and stamp duties	121	12	7
Labour fees	81	17	0
Miscellaneous revenue	717	5	10
Convict labour fees	182	10	0
Sheriff's fees	4	2	0
Royal Lands Commission	22	16	0
							12,174	10	3
Balance of cash account on 31st March, 1874	3,527	19	6
Fiji Banking and Commercial Company (Limited), overdraft, 30th September, 1874	1,417	3	5
Bank of New South Wales, cheques drawn	40	5	0
„ New Zealand	102	0	0
							17,261	18	2

By—		EXPENDITURE.					£	s.	d.	£	s.	d.
Civil List—												
Privy Purse	450	0	0				
Chief Justice	300	0	0				
Associated Judge	200	0	0				
Native Judge	60	0	0				
Chief Secretary	200	0	0				
Treasurer..	200	0	0				
Attorney-General	180	0	0				
									1,590	0	0	
Works—												
Printing	105	5	0				
Housekeeper at Government offices	75	0	0				
Incidentals	35	5	0				
Rent of public offices	75	0	0				
Repairs to buildings	83	2	10				
Furniture and stores	11	2	0				
									384	14	10	
Chief Secretary—												
Salaries	200	0	0				
Medical Officer	75	0	0				
Stationery	43	1	2				
Incidentals	24	16	0				
									342	17	2	
Postal—												
Salaries	100	0	0				
Incidentals	17	19	0				
									117	19	0	

EXPENDITURE--continued.

	£	s.	d.	£	s.	d.
Judicial—						
Registrar	120	0	0			
Sheriff	106	13	4			
Clerk of the Peace	100	0	0			
Judges' Associate	75	0	0			
Interpreter	75	0	0			
Jury and witness' fees	16	17	0			
Incidentals	9	10	0			
Circuit expenses	40	4	10			
Coronor's fees	2	2	0			
				545	7	2
Police and Penal—						
Clerk	50	0	0			
Gaoler	90	0	0			
Sub-Inspector of Police	75	0	0			
Constables	119	18	11			
Native Constables	13	17	0			
Rations (yams, kumalas, &c.)	167	8	6			
Incidentals	72	15	9			
				589	0	2
Provinces—						
East Viti Levu (salaries)	328	10	8			
South ditto	306	8	8			
North ditto	253	4	8			
Cakaudrovi	180	0	0			
North Vanua Levu	240	2	0			
Kadavu	120	0	0			
Lau	96	13	4			
				1,524	19	4
General Expenses—						
Governors' salaries	515	0	0			
Repairs to boats, &c.	124	16	5			
Native Revenue Collectors	32	16	0			
Incidentals	76	5	7			
Stationery	32	14	6			
				781	12	6
Armed Constabulary, Head Quarters and Levoni—						
Salaries	409	7	9			
Officers' mess allowance	106	13	5			
Constables, rations (yams, &c.)	299	14	5			
Incidentals (passages, &c.)	134	16	11			
				950	12	6
Finance—						
Accountant, salary	100	0	0			
Incidentals, exchange on Chilian gold, drafts, &c.	26	18	0			
				126	18	0
Trade and Commerce—						
Collector	100	0	0			
Harbour Master	100	0	0			
Clerk and Locker	75	0	0			
Boarding Officers	150	0	0			
Incidentals	43	9	0			
				468	9	0
General Incidentals, per monthly statements				651	4	1
				8,073	13	9
Treasury notes redeemed				1,977	15	0
Local debentures, redeemed				80	0	0
Outstanding liabilities on 31st March, 1874, since paid				5,226	1	10
Rebate Customs duties	25	0	1			
Refund spirit licenses to Corporation	200	0	0			
Ten per cent. paid on Certificates of Indebtedness	460	10	0			
Old overdraft King's privy purse	207	0	0			
Promissory notes dishonoured, formerly included in cash balance, 31st March, 1874	304	3	2			
Drafts on Sydney, dishonoured, recoverable	289	13	6			
Bank, New South Wales	60	0	0			
Fiji Bank, on account old overdraft	68	10	0			
Co-operative store, partial payment	289	10	10			
				1,904	7	7
				17,261	18	2

OUTSTANDING LIABILITIES ACCOUNT.

DR.	£	s.	d.	CR.	£	s.	d.
To Certificates of Indebtedness—				By amounts due for salaries, stores, &c.,			
At 4 months date	9,738	11	6	on 31st March, 1874	12,466	9	7
„ 6 „	933	2	7				
„ 12 „	1,794	15	6				
	12,466	9	7		12,466	9	7

SUMMARY.

DR.	£	s.	d.	CR.	£	s.	d.
To—				By—			
Receipts, per detailed statement ..	12,174	10	3	Expenditure, per detailed statement ..	8,073	13	9
				Treasury Notes, redeemed	1,977	15	0
				Local Debentures, redeemed	80	0	0
				Balance cash on hand	2,043	1	6
	12,174	10	3		12,174	10	3
Balance cash on hand	2,043	1	6	Outstanding liabilities on 31st March,			
Balance cash on hand 31st March,				since paid	5,226	1	10
1874	3,527	19	6	Sundry payments, per detailed state-			
Bank, New Zealand	102	0	0	ment	1,904	7	7
Bank, New South Wales	40	5	0				
Overdraft Fiji Banking and Com-							
mmercial Company, 30th September,							
1874	1,417	3	5				
	7,130	9	5		7,130	9	5

Audited and adopted in Council, this 8th day of October, 1874.

(Signed)

RUPERT RYDER, *Treasurer*

Inclosure 3 in No. 15.

Extract from the “Fiji Government Gazette” of October 14, 1874, promulgated by his Excellency Sir Hercules Robinson, Governor.

ESTIMATED Revenue and the Authorized Expenditure of the Provisional Colonial Government of Fiji, from 10th October, 1874.

Branch of Service.

For year ending October 10, 1875—	£	s.	d.
Customs duties	15,000	0	0
Pilotage and light dues	300	0	0
Licenses on interinsular trading crafts and on harbour boats plying for hire..	300	0	0
Native taxes—			
Native labour	4,500	0	0
Imported labour	1,500	0	0
Fees and fines of Courts	750	0	0
Licenses to Polynesian immigrant vessels	200	0	0
Wines and spirit licenses	750	0	0
Auctioneers' licenses	75	0	0
Miscellaneous	500	0	0
Total	23,875	0	0

AUTHORIZED Expenditure for the Year ending 10th October, 1875, unless sooner amended by order of Her Majesty's Government.

I.—Executive.

	£	s.	d.
1. His Excellency the Governor	—	—	—
2. The Administrator of the Government	—	—	—
3. Pension to Tui Viti (Thakombau)	900	0	0
4. Colonial Secretary	400	0	0
5. Colonial Treasurer	400	0	0
6. Secretary for Native Affairs	400	0	0
7. Chief Interpreter to the Government	300	0	0
8. Private Secretary to his Excellency the Governor	300	0	0
9. Clerk to the Executive Council	200	0	0

II.—*Judicial.*

	£	s.	d.
1. Judge of Central Court and Chief Magistrate	500	0	0
2. Native Judge	120	0	0
3. Public Prosecutor and Legal Adviser to Government	250	0	0
4. Registrar and Sheriff	240	0	0
5. Interpreter and Judge's Clerk	150	0	0
6. Clerk of Petty Sessions, Police Court	150	0	0

III.—*Colonial Secretary's Office.*

1. Two clerks	400	0	0
2. Medical officer	150	0	0
3. Housekeeper and Overseer of Stores and Works	150	0	0

IV.—*Postal.*

1. Postmaster	250	0	0
2. Native messenger	10	8	0

V.—*Police.*

1. Superintendent	200	0	0
2. Sub-Inspector	150	0	0
3. Clerk	100	0	0
4. } One European sergeant and three European constables	400	0	0
5. }			
6. 200 native constabulary of all ranks, rations	600	0	0

VI.—*Gaols.*

1. Gaoler, Levuka	180	0	0
2. Warder	90	0	0
3. Gaoler, Lovoni (without rations)	150	0	0

VII.—*Treasury.*

1. Accountant	200	0	0
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VIII.—*Customs.*

1. Collector	200	0	0
2. Harbour master	200	0	0
3. Clerk and bond keeper	150	0	0
4. Boarding officer	150	0	0
5. Ditto	150	0	0
6. Lightkeeper	50	0	0

IX.—*Native Affairs.*

1. Four Stipendiary Magistrates at 240 <i>l.</i> (see Schedule A in Appendix)	960	0	0
2. Clerk to Secretary for Native Affairs	200	0	0
3. Twelve provincial Chiefs—Rokos (see Schedule B in Appendix)—			

	£	s.	d.
One at 600 <i>l.</i>	600	0	0
One at 360 <i>l.</i>	360	0	0
One at 340 <i>l.</i>	340	0	0
One at 240 <i>l.</i>	240	0	0
Two at 220 <i>l.</i>	440	0	0
Three at 200 <i>l.</i>	600	0	0
One at 140 <i>l.</i>	140	0	0
Two at 100 <i>l.</i>	200	0	0

	2,920	0	0
4. Allowance to Adi Kuila	100	0	0
5. Twelve native Stipendiary Magistrates at 24 <i>l.</i> (see Schedule C in Appendix)	288	0	0
6. Eighty-two bulis (see Schedule D in Appendix), as follows—			

	£	s.	d.
Thirty-one at 10 <i>l.</i>	310	0	0
Thirty-five at 5 <i>l.</i>	175	0	0
Twenty at 3 <i>l.</i>	60	0	0

	545	0	0
7. Coxswain and messenger to Secretary for Native Affairs	75	0	0
8. Immigration Agent and Protector of imported labourers	240	0	0

EXCLUSIVE OF SERVICES ESTABLISHMENTS.

X.—*Judicial.*

1. Jury fees and witnesses' expenses in Crown cases	100	0	0
2. Incidentals	10	0	0

XI.—*Colonial Secretary's Office.*

1. Stationery for all Departments except Native Affairs	200	0	0
2. Hospital fees	25	0	0
3. Coroner's fees	20	0	0
4. Incidentals	25	0	0

XII.—*Works.*

	£	s.	d.
1. Printing	250	0	0
2. Rent of public offices	300	0	0
3. Inclosing and keeping in order cemetery	100	0	0
4. Repairs to buildings	200	0	0
5. Incidentals, stores, &c.	160	0	0
6. Material for lighting and repairs to streets and bridges in Levuka	300	0	0

XIII.—*Police.*

1. Rations for 200 men, clothing and allowances	1,600	0	0
2. Travelling expenses for police and prisoners	20	0	0
3. Travelling expenses of Superintendent, at 7s. 6d. per diem	35	0	0

XIV.—*Gaols.*

1. Rations for prisoners	200	0	0
2. Incidentals	20	0	0

XV.—*Treasury.*

1. Incidentals	50	0	0
------------------------	----	---	---

XVI.—*Customs and Harbour Master's Office.*

1. Two boats' crews at 12l.	24	0	0
2. Rations for same	30	0	0
3. Flags, Sykes' hydrometer, gauging rods, &c., scale, platform, and incidentals	100	0	0
4. Buoys for mail steamer	50	0	0

XVII.—*Native Affairs.*

1. Travelling expenses for Secretary for Native Affairs, at 7s. 6d. per diem	35	0	0
2. Travelling expenses for four Stipendiary Magistrates, at 7s. 6d. per diem	200	0	0
3. Four boats' crews for Magistrates and repairs to boats	150	0	0
4. Boat's crew for Secretary	30	0	0
5. Stationery and incidentals	100	0	0

Total	17,902	8	0
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SUMMARY.

Total establishments	13,558	8	0
Total exclusive of establishments	4,334	0	0
Total estimate of expenditure	17,902	8	0

No. 16.

Admiralty to Colonial Office.

Sir,

Admiralty, January 13, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Earl of Carnarvon, the copy of a letter from Commodore Goodenough, Senior Naval Officer, in Australia, submitting observations on certain remarks made by Mr. Lowther in a speech made in the House of Commons in August last, with reference to the action of Commodore Goodenough and Mr. Layard as Commissioners for inquiry into the condition of Fiji.

I am, &c.

(Signed) ROBERT HALL.

Inclosure in No. 16.

Sir,

"Pearl," Sydney, November 18, 1874.

IN the debate on the annexation of the Fiji Islands to Great Britain, which took place in the House of Commons on 4th August, 1874, I observe that Mr. Lowther, Under Secretary for the Colonies, is reported to have said—

"But with regard to the question of the acceptance of the cession of the Fiji Islands upon the terms suggested by Commodore Goodenough and Mr. Layard, he would say at once that it was out of the question.

"The Commissioners in the first place sought to commit us without further inquiry

to the acceptance of the debt, which was estimated at 87,000*l.*, but we had no guarantee that it would not exceed that amount."

2. I have carefully looked again through the report made by myself and Mr. Layard, and I request that the Lords Commissioners of the Admiralty will be pleased to place it upon record, that neither I nor Mr. Layard either "suggested terms" or "sought to commit Her Majesty's Government, without further inquiry, to the acceptance of the debt."

3. We were neither instructed to suggest terms, nor to make promises, and we studiously avoided doing anything which might be construed into an acceptance of terms or obligations by King Cakobau or his Ministers. That this is the case is shown by the fact that although we pointed to the Secretary of State various points in which requests, made by Mr. Thurston on behalf of the Chiefs and Government, were impracticable, yet we allowed Mr. Thurston, without comment, to limit the period of the reply of Her Majesty's Government to one year.

4. The Under Secretary for the Colonies does not appear to have borne in mind the nature of our instructions. These were not only to ascertain what the Chiefs looked forward to as their future position and allowances, but also to inquire what were the recommendations of Ministers on this subject. In accordance with this part of our instructions we called upon Mr. Thurston to give us his recommendations upon this point. We also requested Cakobau to desire Mr. Thurston to put on paper his own wishes.

5. When Mr. Thurston came to us, as we reported in our letter to the Secretary of State of the 18th March, 1874, we informed him that we thought his demands absurd. This was the first time that they had appeared on paper, but Mr. Thurston had before advanced notions which showed that he had far more extravagant ideas than these.

I had been repeatedly asked by him "What are the Chiefs to get by giving up their country?" and I as constantly replied "Nothing; but relief from a charge which they cannot support."

6. Had we then suggested terms in opposition to or correction of Mr. Thurston's, we should have done precisely what Mr. Lowther says we did, but which we did not do, viz., "commit Her Majesty's Government without further inquiry;" and I beg to submit that our only course was to do that which we did, viz., to transmit the whole to Her Majesty's Government. We, of course, knew, that if Her Majesty's Government accepted any offer of cession, it would take upon itself the responsibility of dealing with the debt, with all other responsibilities attached to a governing Power.

7. I have elsewhere remarked observations tending to show that the Secretary of State believed that we had accepted an offer of cession, pending Her Majesty's decision. We accepted no offer—I was most careful in my own name and that of Mr. Layard, to say to the Chiefs and their Agent, Mr. Thurston, that I received their offer of cession for transmission to Her Majesty's Government—I and Mr. Layard repeatedly told both the Chiefs and Mr. Thurston that we had no power whatever; that Her Majesty's Government knew very little of Fiji, and wished us to enquire about it, and that the only interest felt by Her Majesty's Government in Fiji was that law and order should prevail there under some form of Government.

8. I would then point out that, in our report, so far from "suggesting terms," or "committing Her Majesty's Government without further enquiry," we criticised some of the Articles of the terms suggested, not by us, but by Mr. Thurston. We gave an opinion on others; while we did not think it necessary to make remarks on some which were manifestly impracticable.

9. I would further remark that I never thought it necessary to say that I was aware that nothing therein could be considered in the least final or binding; it will be seen that we spoke of Mr. Thurston's "terms" always as requests and recommendations, and never dreamt that they could be accepted in the form in which they were placed.

10. I think that their Lordships will see that we confined ourselves to our instructions while acting under them; and I request that this letter may be added to those already laid before Parliament, on the subject of the annexation of the new Colony of Fiji.

I have, &c.

(Signed) JAMES G. GOODENOUGH,
*Captain and Commodore, 2nd Class, Commanding
 Australian Station.*

The Secretary of the Admiralty.

The Earl of Carnarvon to Sir Hercules Robinson, G.C.M.G.

Sir,

Downing Street, January 16, 1875.

I HAVE deferred any general reply to your despatches (which have been duly acknowledged in the usual manner) giving an account of your proceedings in Fiji, and the steps taken by you for receiving the cession of the islands, and establishing in them a provisional Government, until I should have been made fully acquainted, as I am by your later communications, with all details. Those which have now been received by the last mail appear to me to complete, as far as possible, the history of past transactions, and of the arrangements which you think may suffice until a duly constituted Colonial Government can be established.

2. I have already conveyed to you the Queen's gracious approval of the manner in which you have executed the responsible mission for which you were selected, and I have notified to you by telegraph that Her Majesty has been pleased to mark her sense of the service thus rendered by you by promoting you to the Grand Cross of the Order of St. Michael and St. George.

3. I at the same time acquainted you that Her Majesty had been pleased to recognize the special services of Mr. Innes, the Attorney-General of New South Wales, who accompanied you to Fiji, by conferring upon him a knighthood.

4. I have on a previous occasion expressed my sense of the readiness with which your Ministers have on all occasions endeavoured to assist you in carrying out your instructions; and it would not be right for me to omit to refer to the valuable services rendered by Mr. Consul Layard and Commodore Goodenough during the difficult period which intervened between the presentation of their Report and the cession of Fiji.

5. Your account of your transactions with Thakombau and the other Chiefs is very clear and satisfactory, and I fully approve of the explanations afforded by you as to the terms on which only Her Majesty's Government could consent to accept the cession. The Articles, also, of the Instrument of Cession appear fully to meet the requirements of the case.

6. The provision which you made for the temporary administration of the Government was doubtless as complete as circumstances permitted, and I trust that the provisional establishment may prove adequate to the requirements of the period which must elapse before a more efficient Government can be constituted, but which I am endeavouring to make as short as possible.

7. I have pleasure in acquainting you that the Queen has been pleased to appoint the Honourable Sir Arthur H. Gordon, K.C.M.G., to be the first Governor of Fiji. Sir Arthur Gordon's ability, and his administrative experience in Colonies in which the coloured inhabitants form a large majority of the population, will, I doubt not, qualify him in a special degree for the work of organizing the new Government. He will probably sail for Fiji early in March next.

8. It is perhaps possible that on the expiration of his term of government the administration of affairs in Fiji will be found to be so well established as to permit of the Colony being entrusted to a Governor of less high standing; and that some economy in the salary of the Governor may consequently be effected; but I am satisfied that there could be no greater mistake than to commit to weak or inexperienced hands the solution of such difficult questions as those which will have to be met at the outset in taking over the new dependency of Fiji.

9. For the same reason, while I am obliged to you for the careful estimate which you have made of the probable revenue of the Colony, and for your calculations of the administrative staff which may be provided without exceeding that estimate, I do not think that, when once the present provisional administration is replaced by a permanent one, the salaries which you have mentioned would suffice to secure the services of competent Civil Officers. I am most desirous to ensure all practicable economy, but when I reflect that every Department has to be created and organised on proper principles, and that, in the first instance if possible more than ever, high character and ability are indispensable in those who are to hold the principal appointments, I cannot but feel that there would be little hope of procuring really effective service from persons receiving much smaller remunerations than are given in similar cases in Australia or other Colonies.

10. I apprehend, therefore, that some increase upon your estimate of the cost of the Civil Establishment is inevitable; and indeed I assume that your calculations have been in a great degree governed by the opinion that the administration of affairs in Fiji might

be placed under the surveillance of the Governor of New South Wales, and would in that case be less dependent upon the efficiency of the local staff,—a course which, as you are now aware, is not contemplated by Her Majesty's Government.

11. I have, in conclusion, to thank you for your careful examination of the difficult questions connected with the liabilities of Fiji, the titles to land, and other special points which have to be dealt with. These subjects are receiving my careful consideration, and I shall in due course give such instructions to Sir A. Gordon as may be requisite.

I have, &c.
(Signed) CARNARVON.

CORRESPONDENCE respecting the Cession
of Fiji, and the Provisional Arrange-
ments made for Administering the
Government.

(In continuation of Command Paper 1011,
July 1874.)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 6, 1875.*

CORRESPONDENCE

RESPECTING THE

COLONY OF FIJI.



*Presented to both Houses of Parliament by Command of Her Majesty.
August 6, 1875.*

LONDON:
PRINTED BY HARRISON AND SONS,
FOR HER MAJESTY'S STATIONERY OFFICE.

1876.

[C.—1337.] *Price 7d.*

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20	To Governor the Hon. Sir A. H. Gordon, K.C.M.G.	May 28, 1875	Return to their homes of time-expired Polynesian labourers, and Sir H. Robinson's decision not to advertise for any more vessels for this service during the prevalence of measles at Fiji	33
21	To Governor the Hon. Sir A. H. Gordon, K.C.M.G.	May 28, 1875	Mr. Layard's detailed account of his interview with the Chiefs of the Kai Colos, and the good services rendered by Mr. Thurston on that and other occasions	33
22	To Governor the Hon. Sir A. H. Gordon, K.C.M.G.	May 28, 1875	Appointment of Captain J. G. Goodenough, R.N., and E. L. Layard, Esq., to be Companions of the Order of St. Michael and St. George	33
23	Admiralty	June 5, 1875	Stating that copies of the correspondence relating to the outbreak of measles in Fiji and Norfolk Island, and to the conduct of Dr. Goodman, have been referred to Commodore Goodenough for inquiry	34
24	To Treasury	June 9, 1875	Requesting an early intimation of what it is proposed to do as regards financial assistance in aid of Fiji	34
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26	To Governor the Hon. Sir A. H. Gordon, K.C.M.G.	June 11, 1875	Respecting claims advanced by a Company styled the "Polynesia Company, Limited"	34
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29	To Governor the Hon. Sir A. H. Gordon, K.C.M.G.	June 12, 1875	Outbreak of measles in Fiji, and apparent neglect of Dr. Goodman in not warning the local authorities of the danger of the disease spreading. Full inquiry will be made as to origin of the calamity	35
30	Treasury	June 12, 1875	Stating that a vote of 40,000 <i>l.</i> for the present Session, and a further vote of 60,000 <i>l.</i> for the Session of 1876-77, in aid of the revenue of Fiji, will be submitted to Parliament in lieu of the loan proposed by Lord Carnarvon	35

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Correspondence respecting the Colony of Fiji.

No. 1.

*Governor Sir H. Robinson, K.C.M.G., to the Earl of Carnarvon.—
(Received January 11, 1875.)*

My Lord,

Government House, Sydney, November 20, 1874.

I HAVE the honour to report to your Lordship that, on the 18th instant, I received a deputation representing the mercantile interest of Sydney, who presented me with a petition, a copy of which I inclose.

2 The petition is signed by some of the principal merchants of Sydney, and sets forth that the petitioners have been engaged in trade with the Fijis, and have respectively debts due to them by divers persons there resident. It points out the injustice which would result by the adoption of clause 4 of the Provisional Code for the administration of justice, which directs that no proceedings or suits shall be instituted in the Colony to recover any claims accrued prior to the 1st of January, 1871. The petitioners, in consequence, submit that the British law relating to the limitation of actions should be allowed to operate in that Colony.

3. Having ascertained from the Attorney-General of New South Wales, who had drafted the code, that the limitation had been inserted by him without a full knowledge of the facts of the case, and that the application for the extension of the time from the 1st of January, 1871, to the 1st of January, 1869, was reasonable, and might with propriety be acceded to, I issued an amending Proclamation, to be published in the "Fiji Gazette," of which a copy is inclosed.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 1.

Petition addressed to Sir Hercules Robinson, in his capacity as Provisional Governor of Fiji, by some of the leading merchants of Sydney, on the 18th of November, 1874.

To his Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its dependencies, and, provisionally, Governor of Fiji.

May it please your Excellency,

WE, the undersigned citizens of the city of Sydney, having been engaged in trade with the Fiji Islands, and who have respectively debts due to us by divers persons there resident, beg most respectfully to draw the attention of your Excellency to the injustice which would result by the adoption of Clause 4 of the proposed Constitution of the Colony of Fiji, which reads as follows:—"That no proceeding or suit shall be brought or instituted in any Court in this Colony to recover any sum of money on any cause of action accrued prior to the 1st of January, 1871;" and beg humbly to submit that the British law relating to the limitation of actions should be allowed to operate in that Colony, otherwise the undersigned will, as they respectfully submit, be most unfairly prejudiced.

We are, &c.
(Signed) M'DONALD, SMITH AND Co.
(And 23 others.)

Sydney, November 11, 1874.
(123)

If it was not made a condition of the session that this clause should be inserted in the Constitution, I concur in this appeal.

(Signed) SHEPHERD SMITH.
(And 9 others)

Inclosure 2 in No. 1.

[Fiji to wit.]

(L.S.)

HERCULES ROBINSON, *Governor.*

Proclamation by Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor, Commander-in-chief, and Vice-Admiral of the Colony of New South Wales and its dependencies, Governor of Norfolk Island, and, provisionally, Governor of the Colony of Fiji.

WHEREAS, by a Proclamation dated the 13th day of October, 1874, it was amongst other things directed and proclaimed, pending the notification of Her Majesty's pleasure as therein provided, that no proceeding or suit shall be brought or instituted in any Court in this Colony to recover any sum of money on any cause of action accrued prior to the 1st of January, 1871:

And whereas it is expedient to extend the period in the said recited clause prescribed for the limitation of proceedings or suits as therein mentioned.

Now, therefore, I, Sir Hercules George Robert Robinson, the Governor aforesaid, do hereby direct and proclaim that the said clause shall be, and the same is hereby repealed, and that in lieu thereof the following clause shall stand as Clause 4 of the said hereinbefore recited Proclamation:—

“That no proceeding or suit shall be brought or instituted in any Court in this Colony to recover any sum of money on any cause of action accrued prior to the 1st of January, 1869.”

Given under my hand and seal at Sydney, this 18th day of November, in the year of our Lord 1874, and in the thirty-eighth year of Her Majesty's reign.

By his Excellency's command.

God save the Queen !

No. 2.

The Polynesia Company to the Earl of Carnarvon. — (Received January 16, 1875.)

The Memorial of George Thomas Wyleigh, of Melbourne, Manager of “The Polynesia Company Limited,” Melbourne.

Humbly sheweth,

Basis of the
Company.

1. THE said Company became incorporated in the Colony of Victoria on the basis of a Charter which was granted in July 1868, by King Cakobau and the Feudatory Chiefs of Fiji, to enable them to meet pressing demands then about to be enforced by the United States' Government.

Payment in full of
American claims.

2. In consideration of the Charter (a copy of which is herewith lodged), the Company have satisfied the American claims amounting to 42,248 dollars, together with the interest due thereon, and have always been prepared to pay 200*l.* per annum to King Cakobau, upon being placed in full possession of the lands and “privileges” conferred by the Charter.

The Company have
not yet received
half of their land.

3. The Company have so far received only 90,000 out of the 200,000 acres of land ceded by the Charter, as set forth in a Memorial presented in January last to the Royal Commissioners in Fiji, and by letter in September last addressed to his Excellency Sir Hercules Robinson, copies of which have already been submitted to your Lordship.

4. At the time the Company were formed, thousands of acres of land were to be had in Fiji for less than a shilling per acre, free from the cost of survey, clearly proving the "rights and privileges" were then considered the most valuable portion of the Charter. Monopolies highly valuable to the Company.

5. The Company have suffered very serious loss from the non-fulfilment of the Charter by the Fijian authorities, and will yet have to make expensive surveys before each shareholder can be put in possession of his respective allotment of land. Losses and expense still to be incurred

6. The Company were the means of preventing the United States' Government from taking possession of a portion, if not of the entire group of islands known as the Fijis. Americans kept from taking islands by the Company.

So far as can be ascertained by your Lordship's Memorialist, the claims of the Company date back prior to that of all other existing ones. The Company's claims the oldest now existing.

Numbers of the shareholders being desirous of settling in the Fijis are now calling upon your Lordship's Memorialist to place them in possession of the land to which they are entitled; your Lordship's Memorialist, therefore, humbly prays that your Lordship will be graciously pleased to order that the Company shall without delay receive the balance of land still due, amounting to 110,000 acres (say 110,000 acres), and Fiji being now a possession of the British Crown, rendering the existence of monopolies there objectionable, your Lordship will be graciously pleased further to order that the new Colony of Fiji shall, as soon as is possible, in lieu of the "privileges" contained in the Charter, pay to the Company a consideration in money of not less than 25,000*l*. Shareholders desirous of settling in Fiji.
Prayer for the balance of land due, and for a consideration in money for the "privileges" of the Company.

Your Lordship's Memorialist, therefore, humbly prays that your Lordship will be graciously pleased to grant his Memorial, and your Lordship's Memorialist will ever pray, &c.

(Signed) GEO. T. WYLEIGH, *Manager.*

Melbourne, December 3, 1874.

Know all men by these presents that I, King Thakombau, of the Bau Dominions, in consideration of William Harry O'Halloran Brewer, and John Lavington Evans, of Melbourne, in the Colony of Victoria, now on a visit to me as Delegates and Agents appointed for and on behalf of a certain Company about to be formed in the said Colony under the Company's Statute, 1864, hereby undertaking for and on behalf of such Company, and immediately after its formation to make suitable provision for the settlement of a claim of 9,000*l*. preferred against me, the said King, for and on behalf of the Government of the United States of America, for losses said to have been sustained by certain American subjects who resided in my Kingdom, owing to certain alleged depredations and acts of incendiarism committed and caused by my native subjects, and which said claim the said Government of the United States of America are now threatening to enforce, do by these presents for ever grant and cede, transfer and set over unto the said William Harry O'Halloran Brewer, and John Lavington Evans, and also Andrew Lyell and Frederick Cook, of Melbourne aforesaid, gentlemen, hereinafter called trustees, for and on behalf of the said intended Company, the several islands, parts of islands, and other territory in Fiji, forming part of my Kingdom, which are respectively mentioned and set forth in the Schedule hereunder written, together with the soil or beds of all seas, rivers, and waters adjacent to or abutting on the scheduled territory, or any part or parts thereof, and all harbours, seas, rivers, creeks, and inlets thereunto belonging or appertaining, or which the said trustees or the said intending Company may now or hereafter think necessary for the settlement or enjoyment of the said scheduled territory, or any part or parts thereof; and also all mines or minerals in or upon the same, and in consideration of the Company paying to me annually the sum of 1,000 dollars, I, on the part of myself and my successors for ever, grant to the said Company exemption from all taxation or imposts on the importation into, or the exportation from any of the lands, harbours, rivers, &c., that now or hereafter shall form part of the said Scheduled territory; and also grant to the said Company for the term of twenty-one years, to establish in any part or parts of my Kingdom Banking Institutions, and I undertake not to give such right to any other or Company in my territory, and the right to issue and circulate throughout all or any part of my Kingdom bank notes. And I, the said King, pledge myself to protect the inhabitants and settlers of the lands of the Company from native or other violence, molestation, interference, attacks, pillage, and robberies, both from within and without.

In witness whereof, I, the said King, have hereunto set my hand and seal, this 23rd day of July, in the year of our Lord 1868.

(Signed) EPENISA CAKOBAN, his ✕ mark.
(L.S.)

Witnesses to signature,
(Signed) J. C. SMITH.
JOSEPH CURTIS.
R. SPOWART.
JOHN SPIERS.

(Signed) EPENISA CAKOBAN, his ✕ mark.
(L.S.)

Signed, sealed, and delivered, by King Thakombau, in the presence of,

(Signed) J. C. SMITH.
JOSEPH CURTIS.
R. SPOWART.
JOHN SPIERS.

And we, the Undersigned, being the principal Chiefs under King Thakombau, hereby ratify and confirm in all respects the foregoing Charter.

(Signed) SAVANACA NAULIVOU, his ✕ mark.
RATU DRANIBAKA, his ✕ mark.
RATU EPELI NAILATEKAU, his ✕ mark.
RATU ILIJIA TOROCO, his ✕ mark.
SITIVANI TUKANA, his ✕ mark.
MARIKA TOROCA.

Witnesses to signatures,
(Signed) J. C. SMITH.
JOSEPH CURTIS.
R. SPOWART.
JOHN SPIERS.

The Schedule.

Two hundred thousand acres of land, of which the following blocks are a portion :—

1st. Commencing from the River Ruku Ruku, in Viti Levu Bay, following the coast towards Bau to the township of Veidrala, and back inland, making it a square block.

2nd. Also land at Thackandrora, Natavai Bay, Island of Vanua Levu, four miles, commencing from the township of Tivo, up the coast, and about the same distance inland.

3rd. Also the island of M'Benga and the following islands : Moturiki, Levuku Malumu, Nanuku, within that reef.

4th. Also Suva, its harbour, territories, and district, commencing from Lami, running along the coast towards Rewa to the township of Kalabo, and running inland to the Wai-manu.

And I also agree to cede other lands suitable for the occupation of the Company, or extend the boundaries of one or other of the foregoing tracts of country above ceded in the same proportion of coast to inland, to complete the grant of 200,000 acres.

(Signed) EPENISA CAKOBAN, his ✕ mark.
SAVANACA NAULIVOU, his ✕ mark.
RATU DRANIBAKA, his ✕ mark.
RATU EPELI NAILATIKAU, his ✕ mark.
RATU ILIJIA TOROCA, his ✕ mark.
SITIVANA TUKANA, his ✕ mark.
MARIKA TOROCA.

Witnesses to signatures,
(Signed) J. C. SMITH.
JOSEPH CURTIS.
R. SPOWART.
JOHN SPIERS.

No. 3.

The Earl of Carnarvon to the Officer Administering the Government of Victoria.

Sir,

Downing Street, January 23, 1875.

I HAVE received a Memorial, dated Melbourne the 3rd of December, 1874, signed by Mr. George Thomas Wyleigh, Manager of the Company styled the Polynesia Company Limited, inclosing a copy of a Charter granted by Thakombau in 1868, purporting to concede to certain persons in the Colony of Victoria 200,000 acres of land in Fiji, and various privileges in consideration of their undertaking the settlement of a sum of money claimed from Thakombau by the United States and the payment to him of an annuity.

You will have the goodness to inform the Memorialist that the case of the Company which he represents will be fully considered, and will be dealt with by the Governor of the new Colony after his arrival in Fiji.

I have, &c.
(Signed) CARNARVON.

No. 4.

Colonial Office to the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, January 26, 1875.

I AM directed by the Earl of Carnarvon to transmit to you the accompanying copy of a Memorial from Mr. George Thomas Wyleigh,* of Melbourne, inclosing a copy of a Charter granted by Thakombau in 1868, purporting to concede to certain persons in the Colony of Victoria 200,000 acres of land in Fiji, and with certain privileges, in consideration of their undertaking the settlement of a sum of money claimed from Thakombau by the United States and the payment to him of an annuity; and I am to request that you will favour his Lordship, at your early convenience, with any observations that may occur to you respecting the claims advanced in the Memorial, and the best mode of dealing with them.

On this subject, I am desired to refer you to Mr. Consul March's Memorandum of the 14th of May, 1873, at pages 9 and 10 of the Parliamentary Papers (Fiji Islands of April 1874, C.—983), and to the remarks of Sir H. Robinson, printed at page 43 of the Confidential Paper No. 45, printed for the use of this Office, copies of which, Lord Carnarvon understands, have been already forwarded to you.

I am, &c.
(Signed) W. R. MALCOLM.

No. 5.

Colonial Office to Treasury.

Sir,

Downing Street, February 25, 1875.

I AM directed by the Earl of Carnarvon to request that the attention of the Lords Commissioners of the Treasury may be directed to the financial condition of Fiji, as shown in the paper recently laid before Parliament,† of which I am to annex a copy, and more particularly to the 22nd and following paragraphs, of Sir H. Robinson's despatch of October 20th, at page 52 of that paper.

2. Lord Carnarvon is unable to satisfy himself that the revenue of Fiji can with confidence be expected to exceed 25,000*l.* a year, or even to be maintained at that rate, while it is almost inevitable that fresh causes of expenditure must present themselves in addition to those comprised in the estimates of Sir H. Robinson, whose calculations indeed appear to have been based upon a somewhat more favourable view of the administrative arrangements which are likely to be necessary than Lord Carnarvon feels that, under all the circumstances of the case, he can prudently take.

3. While, therefore, Lord Carnarvon continues to think that the revenue of Fiji may be made to suffice for the annual expenditure of the Colony, he is clearly of opinion that Fiji will not be able to bear any considerable charge on account of obligations or expenses incurred prior to the cession, or necessarily attendant upon the first establishment of the Colonial Government; and his Lordship feels himself obliged to invite the Lords Commissioners to consider in what form it will be preferable that

* No. 2.

† No. 11 of Command Paper C. 1114, February 6, 1875.

the Colony should be assisted by this country in discharging the debts and obligations which have to be met before the islands can be left to their own resources.

4. After fully considering Sir H. Robinson's proposal as to the terms in which a loan might be made to the Colony, Lord Carnarvon is disposed to think that, in the peculiar circumstances of the present case, it might be preferable to guarantee the interest of a Colonial loan. His Lordship shares the objection so generally entertained to an Imperial guarantee in the case of a loan negotiated by a Colony for purposes in respect of which its ordinary revenue, if it were adequate, would in the first instance be chargeable. Unless for some very special reason such a loan should be issued on the sole responsibility of the Colonial Government, and at the rate of interest which the securities of the Colony must ordinarily bear. But his Lordship thinks it possible that the Lords Commissioners may incline to the opinion that, as the acceptance of the cession of Fiji has been a matter of Imperial policy, the guarantee of interest upon any money that may be borrowed in order to defray charges not incurred after the first establishment of the Colonial Government, may be, not only admissible, but preferable to any other form of financial assistance.

5. Lord Carnarvon has been informed that the Government of New South Wales will be willing to recommend to the Legislature of that Colony that it should join with the Imperial Government in giving such a guarantee.

6. As the probability of the guarantors being at any time called upon to redeem such an undertaking is, in his Lordship's opinion, very remote, it would probably not be worth while to trouble the New South Wales Legislature on this subject, were it not for the desirability, which Lord Carnarvon feels strongly, of taking advantage of this opportunity of allowing a Colony which is willing to do so to take part with this country in a work of great Imperial interest. And it is in a great measure from this consideration that his Lordship inclines to a guarantee of a loan rather than an advance on terms similar to those adopted by the Public Works Loan Commissioners.

7. With regard to the amount of the loan to be guaranteed or the advance to be made, Lord Carnarvon is disposed to think that, while it should be restricted, as I have already observed, to claims, debts, or charges connected with the period antecedent to the cession with the original establishment of the new Government, it should not be limited to a less maximum sum than 150,000*l.*, as it is obvious that, when Sir H. Robinson visited Fiji, he was not made aware of the amounts that would become payable under several heads. For example, his Lordship has just received despatches stating that considerable sums have unavoidably been expended on the return to their islands of labourers whose term of service had expired before the cession; and these expenses should properly, and, indeed, can only be defrayed from the proceeds of a loan.

8. I am to request that as early a reply as possible may be given to this letter, as Sir A. Gordon will sail very shortly for Fiji.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 6.

The Earl of Carnarvon to the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, March 4, 1875.

AS the time of your departure to assume the Government of Fiji is now near at hand I think it desirable to communicate to you in writing my observations and instructions on some of the principal matters for which provision will have to be made at the earliest practicable date after your arrival in the Colony.

Most of these subjects have been fully and carefully reported upon by Sir H. Robinson in his despatch of the 20th October last,* and it may be convenient that I should now deal with them in the order which he adopted.

I.—Pensions.

2. First, with respect to pensions, I would observe that if you find that Thakombau has been distinctly given to understand that so large a pension as 1,500*l.* a-year is likely to be allowed in his case, and expects to receive that amount, it will probably be desirable not to reduce it. But the sum appears to me to be larger than is, in some respects, consistent with the position which the late King must hereafter occupy.

Looking to his past circumstances, not less than to his present requirements, considerably less would suffice to keep him and his family in such comfort and dignity

* No 11 of C. 1114, February 1875.

as are suited to their altered condition; and it appears to me to be in many ways objectionable to provide Thakombau with the means of maintaining any royal court or retinue. The natives should be taught as early as possible that, while he is respected and protected from want, he is now a private individual, and that whatever power and prestige of royalty may have been attributed to him have passed to his Mistress the Queen of England.

I request, therefore, that you will consider very carefully whether his pension should be 1,500*l.* per annum, or whether, without any breach of faith, it may be fixed at a lower sum. It will further be desirable that you should report to me from time to time whether it is being properly expended both for his own benefit and in a manner not injurious to the interests of the Government. If, as he becomes more infirm and less capable of managing his affairs, it should appear to you that the pension is not being expended to his advantage or is being applied to improper objects, it may become necessary for the Government to undertake the care of him, and instead of making him a money payment to provide him with such necessities and comforts as may be suitable to his condition.

3. The proportion of this pension, one-half or perhaps two-thirds, which Sir H. Robinson would propose to assign to the Queen, if she survives him, appears to me somewhat in excess of what may reasonably be claimed; and I fail to perceive the necessity of making a permanent provision for his sons if they are in a position to maintain themselves either in the public service or otherwise and neglect to do so. It would, however, be right and fair to give them all reasonable opportunities of acquiring the full means of support, and it may be desirable in the first instance to afford them some assistance towards placing themselves in a satisfactory position.

In the case of the Queen, who, as far as I am aware, has not personally acquired any prominent position, a small annual payment, or perhaps an allowance of food and other necessary articles such as would secure her in all reasonable comfort would appear suitable.

But I shall await your Report on this subject.

4. The pension proposed for Mr. St. Julian, which was a very moderate one, has, as you are aware, lapsed through his death.

II.—*Liabilities.*

5. In the next place, with respect to the liabilities incurred by the persons who administered the so-called Government of Fiji before the cession, I concur very generally with Sir H. Robinson's view of the relation in which the new Colonial Government stands toward those who had dealings with Thakombau's Governments, and the course which should be taken in respect of their claims.

6. You will cause it to be very clearly understood that Her Majesty's Government and the Colonial Government absolutely and entirely decline to admit that they are necessarily under any obligation to take up the liabilities incurred by those who have purported to administer the affairs of the Islands. No claim of the kind preferred by way of demand or as of right can for a moment be entertained, and to prevent any possible misconception on such a question it may be desirable to relieve the Government from any attempts to press such claims by passing an Ordinance declaring that no action shall lie against the Crown or the Colonial Government in respect of liabilities incurred by the late King or by any persons not in the employment of the Crown or the Colonial Government.

7. But although I think it necessary to define in the strongest manner the refusal of Her Majesty's Government to accept, or allow the Colonial Government to accept, any direct liability or obligation connected with the acts of persons for whom it has been in no way responsible, I am nevertheless of opinion that it will be for the credit of the newly constituted Government that voluntarily, and as an act of grace, it should offer to undertake the payment of so much of the debts incurred before the cession as after proper inquiry it may appear just and fair for it to assume. As Sir H. Robinson has pointed out, it will be necessary for this purpose to examine carefully all claims put forward, and as at present advised, I am of opinion that the four classes of the creditors of the so-called Fijian Government may be dealt with on the general principles laid down in paragraph 9 of his despatch of 26th October. But with regard to the time and manner in which any such payments are to be made, the Government of Fiji must reserve to itself the fullest discretion.

8. I am disposed to think that the best course will be for you to notify publicly, as soon as convenient after your assumption of the Government, that while the Government of Fiji declines to be responsible for any debts or liabilities incurred by or

in the name of Thakombau or any other persons purporting to represent any Government of Fiji prior to the cession, it is nevertheless willing to consider any proofs that may be brought forward of money or supplies having been actually provided for public purposes; but the persons so applying to be reimbursed must be made clearly to understand that it will rest entirely with the Colonial Government (subject, if necessary, to a reference to the Secretary of State) to decide in each case whether the sum claimed, or a part of it, should be paid, and if so, at what time and in what manner the payment shall be made.

9. I am now in communication with the Lords Commissioners of the Treasury with the view of determining whether any financial assistance should be given from Imperial funds, as proposed by Sir H. Robinson in paragraph 22 of his despatch, towards meeting any such liabilities as under the conditions which I have mentioned it may be deemed right that the new Colony should accept. Whether with the assistance of this country or not, it appears unavoidable that a loan should be raised for the purpose of meeting charges which the current revenue cannot and ought not to bear; and if it is thought convenient, any creditors of Thakombau's Government can of course be required to receive the bonds of such a loan, on terms to be approved by Her Majesty's Government instead of cash.

10. It is very desirable that this question should be finally disposed of as soon as possible by the payment or rejection of each claim that may be made, and it will be one of your first duties to make proper arrangements for receiving and inquiring into all such applications for payment as I have above referred to.

III and IV.—*Fiji Bank and Polynesian Land Company.*

11. I see no reason to differ from the general conclusions arrived at by Sir H. Robinson as to these two Charters. Not only are they necessarily rendered void by the effacement of the so-called Government which purported to grant them, but they are in some obvious respects contrary to those principles of policy which must prevail in a British Colony. If after inquiry you see no objection to dealing with these Companies in the manner proposed by Sir H. Robinson, you have my sanction for taking that course.

V.—*Titles to Land.*

12. I now approach the most serious question to which you will be required to address yourself, and the settlement of which on a clear and simple basis is of the the gravest importance to the future peace and prosperity of the Colony. I concur with Sir H. Robinson in the opinion that, if judicious steps are at once taken, there should be no great difficulty in preventing or removing all confusion as to the titles to land of both Europeans and natives.

13. The broad principles to be followed in the difficult and very exceptional case of Fiji are :—

(1.) That it should be declared that the whole of the land within the limits of Fiji, whether in the occupation of, or reputed or deemed to have been, prior to the cession of the islands, the property of either Europeans or natives, as well as all waste and unclaimed land, has, by virtue of the instrument which ceded to Her Majesty the "possession of and full sovereignty and dominion over the whole of the islands," become absolutely and unreservedly transferred to the Crown, and that the Queen has the full power of disposing of the whole of the land in such manner as to Her Majesty may seem fit; having due regard to such interests as may be entitled to recognition under Article 4 of that instrument.

(2.) That, with the view of disturbing as little as possible existing tenures and occupations, and of maintaining (as far as practicable, and with such modifications only as justice and good policy may in any case appear to demand) all contracts honestly entered into before the cession, the Colonial Government, to which the rights of the Crown are delegated in that behalf, should forthwith require all Europeans claiming to have acquired land by purchase, to give satisfactory evidence of the transactions with the natives on which they rely as establishing their title; and if the land appears to have been acquired fairly and at a fair price, should issue to the persons accepted, after due inquiry, as owners, a Crown Grant in fee simple of the land to which they may appear entitled, subject to any conditions as to further payments and charges or otherwise, which may appear just. Sir H. Robinson has recently directed the issue of a notification, in which I fully concur, declaring that all sums paid by the Government for wages or return passages of labourers shall be a first charge upon the lands in respect of which the services of those labourers were rendered. If, in any case, satis-

factory arrangements are not made for the repayment of such advances, it will be necessary to consider what steps should be taken for entering upon such lands in the name of the Crown.

(3.) That the native titles to land not so granted to Europeans, should in the next place be as far as possible verified and simplified; and when it has been determined what lands are "now in the occupation of or actually required for the probable future support or maintenance of chiefs and tribes," the Crown should hold such lands in trust for, and leave them for the present in the occupation of, the tribes, families, or chiefs by whom it is at present possessed.

(4.) That henceforth all dealings in land between Europeans and natives shall not only be invalid, and not recognizable by any Court of Law, but shall be expressly forbidden by enactment; that whenever any European desires to purchase any native lands, his application must be addressed to the Colonial Government, which, if it thinks fit to sanction such purchase, shall itself acquire the land, and fix the price at which it shall be granted by the Crown to the applicant; and that as between Europeans no land shall be transferable except under the provisions of the Ordinance for Land Transfer, through the Registration Office, which it will be your duty at once to cause to be enacted on the model of the Acts on this subject now in force in Australia.

(5.) That in all Crown Grants full power shall be taken to resume at any time such land as may be required for roads or public works, and that, as far as practicable, such resumptions should be made before the grants are issued, and specified in them.

14. I believe that this sketch of the principles according to which the settlement of the land question in Fiji should be undertaken will be found sufficient to guide you as to the general course to be taken. It will be necessary that a Commission should be at once appointed, as suggested by Sir H. Robinson, to deal with the whole question of the ownership and occupation of land. I do not propose, however, that it should be left to this Commission to decide any of the broader questions of principle, such as I have already referred to. I have preferred to give you express instructions on the principal points, in order that questions may not hereafter be raised upon them in the Colony, and you will refer to me for further directions on any point as to which you are not assured that you clearly understand the views of Her Majesty's Government.

15. In appointing the Commission, you should accordingly be careful not to confer upon its members any further powers than those of inquiring and reporting to you; and it will be for you, with the advice of your Executive Council, to direct the action to be taken in each case. It will be necessary that the Commission should inquire most strictly into the claims of European occupants, which, as Her Majesty's Government has been repeatedly warned, are likely to be in many cases excessive or unfounded; and in the case of native claims also, great care should be taken to protect the interests of the Crown, by allowing no more than a fair and liberal interpretation of the IVth Article of the Instrument of Cession, as illustrated by the conversation between Sir H. Robinson and Thakombau on the 25th of September.

16. As it is most important that the Commission should be independent of local influences, it will be desirable that it should be composed, as far as possible, of persons unconnected with the Colony prior to the cession; and the Secretary for Native Affairs, with the Royal Engineer Officer, who will probably be appointed to act as Surveyor-General, would probably be suitable members of the Commission, with, perhaps, one or two other persons who may be selected in Australia or New Zealand.

VI.—*Lala, or Service Tenures.*

17. I concur very fully in Sir Hercules Robinson's remarks under this head. It is a question to which no answer can confidently be given until after a much longer acquaintance with the capacity and character of the natives of Fiji, than we now possess, whether it will be desirable to attempt to improve and develop their tribal organization as an instrument of government, or to discountenance and supersede it as impeding civilization, and not conducive to peace and order. For the present it is at all events obvious that no sudden change must be contemplated.

VII.—*Mountain Tribes.*

18. Since Sir Hercules Robinson wrote the despatch on which I am commenting, he has reported a friendly visit of the Kai Colos to Levuka, from which I am led to conclude that there will be no insuperable difficulty in establishing satisfactory relations with them. Any difficulty of the kind is, in fact, judging from experience in other colonies, to be looked for as much in the misconduct of Europeans or labourers in their employment as in the aggressive disposition of the tribes with which friendly relations

have not been completely established. It will be your duty to examine most strictly into the causes of any collisions that may arise between the mountain tribes and the planters or their labourers, and if the latter are to blame, to use every effort to procure their punishment.

19. Sir H. Robinson concludes by specifying certain purposes to which the loan to be raised should be applied. It is not possible for me now to express an opinion on each item; but, I may observe, that if, as I anticipate, you find it necessary to provide that steam communication among the islands shall be at the command of the Colonial Government, independently of Her Majesty's ships, it may be preferable to enter into arrangements for subsidizing a commercial steamer, and not to resort to the very costly proceeding of purchasing and owning a colonial vessel.

20. I am aware that you are not inclined to incur any excessive or unnecessary expense in the erection of a Government House, or other office buildings, and I should be disposed to leave to your judgment the expenditure to be incurred on these objects, with the observation that the smallest possible outlay should be made until the seat of Government, which is a question that needs careful consideration, is definitely settled. As soon as you are in a position to do so, I request you to report to me whether, in your opinion, Levuka can be made to fulfil the requirements of the central seat of Government sufficiently well. Except for very strong reasons a change would be undesirable; but if it must be made, the least possible delay should take place.

21. I am not as yet able to feel entire confidence in the future prospects of the revenue. I sincerely trust that Sir H. Robinson's anticipations will be fulfilled; and if the generally received estimate of the capabilities of the islands is but partly correct, there will, as he says, be no fear for the future solvency of the Colony. But it is, I understand, already questioned whether the mode of raising revenue at present established will produce the required amount, and it will be a matter for your anxious consideration how, during the first few years, while the European settlers are struggling to establish themselves and the natives are imperfectly under control, an adequate revenue can be raised without pressing too severely upon any interest.

I will now conclude my observations on those points which it has been my purpose to notice in this despatch; and in separate communications I shall address you respecting the administration of justice, the civil establishments, and the duties to be assigned to you as Her Majesty's High Commissioner for certain groups of islands beyond Fiji, in which it is especially necessary to watch and control the proceedings of British subjects, as well as on various minor matters.

I have, &c.
(Signed) OARNARVON.

No. 7.

The Earl of Carnarvon to Governor the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, March 20, 1875.

HAVING considered the expenditure authorised by Sir H. Robinson for the Provisional Government of Fiji for the year now current, and having also had the advantage of learning your views on various matters connected with the administration of the Government, I have decided that the scale of establishments shown in the accompanying paper may be adopted, subject to such reductions as you may find practicable, and to any further revision which I may hereafter feel obliged to make.

2. I am aware that it has been considered that a less expensive Civil Establishment might have sufficed; but, as it is most important to avoid administrative weakness during the first years of the new Government, I have not hesitated to accede to your representations as to the staff, for which provision should be made in the first instance.

3. I wish you to understand, however, that in my opinion there will be considerable difficulty for some time to come in providing revenue sufficient for all the requirements of the Colony, and I look to you to effect every possible economy by the consolidation of offices and revision of salaries as opportunities may present themselves.

4. It will be necessary for administrative purposes to create other offices in addition to those which are enumerated in the scheme of Establishments which I now transmit; but I wish you particularly to understand that I shall not be prepared, unless for very strong reasons, to sanction the admission into the service in such cases

of fresh persons, or an addition to the salaries now prescribed. Every person taking service under the Government of Fiji must be prepared to discharge any duties that may be reasonably assigned to him without question, and you will exercise your judgment as to distributing among the officers now provided for any fresh duties that may have to be performed.

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 7.

ESTABLISHMENTS.

I.—Governor.

	£	s.	d.	£	s.	d.
The Governor	*5,000	0	0			
Private Secretary and Clerk of Councils	300	0	0			
Aide-de-camp	170	0	0			
Interpreter to Governor	150	0	0			
				3,620	0	0

II.—Colonial Secretary.

Colonial Secretary, Auditor-General, and Registrar	600	0	0			
Chief Interpreter	300	0	0			
Two Clerks	400	0	0			
Office-keeper, for Government Offices	150	0	0			
				1,450	0	0

III.—Treasury.

Colonial Treasurer and Collector of Customs	500	0	0			
Accountant	200	0	0			
Two boarding officers	300	0	0			
				1,000	0	0

IV.—Native Affairs.

Native Secretary, Immigration Agent, and Land Commissioner	500	0	0			
Assistant Secretary	350	0	0			
Clerk	200	0	0			
Twelve Rokos	2,920	0	0			
Eighty-two Bulis	545	0	0			
Coxswain and Messenger	75	0	0			
				4,590	0	0

V.—Post Office.

Postmaster	150	0	0			
Messenger	10	8	0			
				160	8	0

VI.—Judicial.

Chief Justice	1,000	0	0			
Attorney-General	500	0	0			
Native Judge	120	0	0			
Four Stipendiary Magistrates	960	0	0			
Twelve Native Magistrates	288	0	0			
Interpreter and Judge's Clerk	150	0	0			
Clerk of Police Court	150	0	0			
				3,168	0	0

VII.—Police and Gaols.

Superintendent and Sheriff	200	0	0			
Sub-Inspector	150	0	0			
Clerk	100	0	0			
Europeans	400	0	0			
Natives	600	0	0			
Gaoler at Levuka	180	0	0			
Ditto at Lovoni	150	0	0			
Warder	90	0	0			
				1,870	0	0

VIII.—Medical.

Chief Medical Officer and Health Officer, Levuka and Viti Levu	350	0	0			
Ditto, Vanua Levu and Taviuni	300	0	0			
				650	0	0

IX.—Harbour.

Harbour-master	200	0	0			
Light-keeper	50	0	0			
				250	0	0
				16,758	8	0

* 3,000*l.* only to be drawn.

The Earl of Carnarvon to Governor the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, March 22, 1875.

IN continuation of my despatch of the 20th instant,* I now propose to convey to you my views in relation to the general administration of justice in Fiji, and my instructions as to the more important Ordinances on this subject, which it will be your duty to lay before the Legislative Council as early as circumstances will permit after your assumption of the Government of the Colony.

2. The Ordinance to establish a Supreme Court of Judicature will be the first of these measures which will demand your attention.

3. Subject to any temporary arrangement that may be made for reinforcing the strength of the Court during the period immediately following your assumption of the Government, it is intended that the Supreme Court shall consist for the present of one judge only, to be styled the Chief Justice, and shall exercise within the limits of the Colony a jurisdiction commensurate with that of the Courts of Equity and Common Law, the Court of Probate, and the Court for Divorce and Matrimonial Causes, in England. It is proposed that Vice-Admiralty jurisdiction shall be conferred upon it by Commission in the usual way.

4. Its jurisdiction in bankruptcy or insolvency should be conferred by a local Ordinance suitable to the circumstances of the Colony; and dealing with the subject of imprisonment for debt.

5. The Ordinance establishing the Supreme Court should provide for the admission and enrolment of barristers and solicitors, and for a variety of other matters to which it is unnecessary that I should here refer in detail, for, in order to facilitate your labours in this branch of legislation, I have caused drafts of several Ordinances to be prepared, which are inclosed in this despatch,† and which have been framed in accordance with the views which I desire to convey to you on the different subjects to which they relate. Among these drafts you will find one for a Supreme Court Ordinance, in which all the necessary clauses have been inserted, besides many provisions which are, I think, likely to prove useful, as being adapted to the conditions and requirements of a new Colony.

6. Another draft deals with the criminal procedure of the Supreme Court. As regards this subject, I am of opinion that there should be no presentments by a grand jury, but that all prosecutions in the Supreme Court should be instituted and tried on an information to be filed by the Attorney-General, and that, except in the class of cases known in England as *ex officio* informations, and informations filed by the Master of the Crown Office, every prosecution should be founded upon the depositions taken before a magistrate and upon a committal of the accused person for trial.

7. The Ordinance provides, among other things, for criminal trials to be held by the Chief Justice, with the aid of Assessors, in cases where any one of the parties (complainant or defendant, as the case may be) is an aboriginal of Fiji, or belongs to the coloured races. A similar system is in force in India for the protection of natives; and under the circumstances of Fiji, both now and for some time to come, it is, I think, probable that this provision may prove beneficial in its application to that Colony.

8. The next draft Ordinance to which I would draw your attention is the one which empowers the Governor to prohibit, for a limited period, any person whom he may believe to be disaffected to Her Majesty's Government, or otherwise dangerous to the peace or good order of the Colony, from residing or being in any specified island or district. This power to remove from a particular place (not extending, it will be observed, to banishment beyond the limits of the Colony) persons whose presence may be menacing to the tranquillity of a district or to the safety of any of its inhabitants, is one of a very exceptional character. It is hardly necessary to point out the great responsibility under which a Governor who exercises such a power will act, and the mischief which would ensue from any misapplication or unreasonable use of it. It is, however, an authority which I doubt not will be safe in your keeping, and which may be entrusted to the Executive under the peculiar circumstances in which you will have to carry on the Government of this new Colony. I can only hope that the necessity for its exercise may very rarely, if ever, arise. In the event of a resort to it, you will not fail to transmit to this Department, without delay, a clear explanation of your reasons for doing so.

9. As regards the civil procedure of the Supreme Court, there can be no doubt that it should be of as simple a character as can be devised. All civil suits should be tried by the Chief Justice or other duly commissioned judge sitting alone, unless he should think it expedient that the trial should take place with the aid of Assessors.

10. I would recommend that, in the first instance, the civil procedure and practice of the Court should be laid down by general rules to be framed under the power proposed to be vested for this purpose in the Chief Justice by the Supreme Court Ordinance.

11. These rules, after a sufficient experience of their working, might form later a useful groundwork for an Ordinance embodying a complete code of procedure. They should, among other things, provide for the summary hearing and determination, without written pleadings, of petty debt cases, and small causes limited as regards the amount claimed to a specified sum, and as regards the subject matter of the suit, to questions of the simplest character. With such limitations, this branch of the jurisdiction of the Supreme Court might be administered concurrently in various parts of the Colony by the stipendiary magistrates as Commissioners of the Court, subject to appeal to the Supreme Court.

12. In connection with this subject, I would point out that Her Majesty's Order in Council of the 12th December, 1873, for the Regulation of Consular Jurisdiction in the Levant, contains simple and concise provisions relating to legal procedure in all the branches of the jurisdiction which is to be vested in the Supreme Court of Fiji. I therefore inclose a copy of this Order, in addition to the draft Ordinances above referred to, and I think that, unless for some strong reason, it will be desirable that its provisions should be closely followed in Fiji, the more especially as they will be adopted for the regulation of your jurisdiction as Her Majesty's High Commissioner in Western Polynesia.

13. Another of the draft Ordinances inclosed in this despatch provides for the interpretation of terms and expressions usually adopted in Colonial legislation. It is intended to shorten the language of Ordinances, and will be found of much practical utility in the preparation of the laws which will hereafter constitute the Statute Book of the Colony. In the compilation of these laws, your task may be lightened by availing yourself to some extent of the legislation adopted in the adjacent Colonies of Australasia to meet similar conditions of social life.

14. The aborigines of Fiji will, I am convinced, be the objects of your constant solicitude. Their special protection will be committed, under you, to the Secretary for Native Affairs, and it will be necessary that an Ordinance should be passed defining the functions and duties of that officer, and investing him with powers of prompt intervention in all matters which affect the rights and interests of the natives. For instance, in suits between natives, or in which natives are concerned, and in any criminal prosecution against them, he should be *ex officio* assessor to the Supreme Court.

15. A special Ordinance should be passed under the power vested in Colonial Legislatures by the Imperial Act 6 Vict., chap. 22, for the admission of the unsworn testimony of natives in civil and criminal cases; and the same Law should empower the Courts in civil cases to admit evidence of native customs not repugnant to justice and morality, especially in regard to marriages, wills, the title to land, the transfer of property *inter vivos*, and its devolution on intestacy, and to deal with such cases in accordance with natural equity and good conscience. It will, of course, be the duty of the Secretary for Native Affairs and his subordinates to make themselves conversant with these native customs, and to supply to the Government all such information as may from time to time be required on that subject.

16. I apprehend that in the first instance it will be necessary to leave in the hands of native Chiefs and Magistrates the jurisdiction which they now exercise both in civil and criminal proceedings, though under the immediate supervision and control of the Secretary for Native Affairs, the European Magistrates, and the Supreme Court. But if the parties, or one of them, desire that the case should be heard and determined before the ordinary Tribunals of the Colony, and the case be considered by the Court a fit one for the exercise of its jurisdiction, I see no reason why it should not take cognizance of it.

17. The last point upon which I desire to offer some remarks, relates to the mode in which it will be most convenient to deal with the existing Laws of the Colony, and especially with those which have been promulgated temporarily in Her Majesty's name since the cession of Fiji.

18. You are aware that by the Proclamation of the 13th October, 1874, the Laws of New South Wales, with certain exceptions, are declared to be in force in the Colony; and as I have before mentioned, it is intended that the Laws of England should be in

force, as far as may be practicable, and subject to Acts of the Local Legislature modifying their provisions as applied to the particular circumstances of the place.

19. It will be very important, therefore, to obviate any confusion which might arise by too sudden a transition from one system of laws to another; and an Ordinance should be passed to declare what Laws and Proclamations shall continue in force, and to empower the Legislative Council from time to time by Resolution, to be published in the "Gazette," to declare that any Law or Proclamation continuing in force under the Ordinance should be repealed or revoked, as from any particular date, or as respects any particular district, or class of inhabitants. On the other hand, it will be very desirable that all the new Ordinances relating to the administration of justice, including the proceedings before Magistrates and Justices of the Peace, should be brought into force as far as practicable, *uno flatu*.

20. I need scarcely add, in conclusion, that all the important matters which form the subject of this despatch call for the exercise of great care and discretion; and the experience which you have already acquired, will be of great advantage in their treatment.

I have, &c.
(Signed) CARNARVON.

No. 9.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received April 10.)

My Lord,

Government House, Sydney, February 19, 1875.

I HAVE the honour to forward to your Lordship statements of the receipts and expenditure of the Colony of Fiji, from the 11th October to the 31st December, 1874, and also for the month of December. It will be seen from the Returns for the longer period that, including an advance from the New South Wales Government of 1,000*l.* in new silver, the receipts, so far, exceed the expenditure by 1,544*l.* 13*s.*

2. The receipts do not come up to my estimate; but the smallness of the total is, in a great measure, owing to the fact that for the first six weeks after cession scarcely any business was transacted. The receipts for the month of December were at the rate of 29,670*l.* 15*s.* a-year.

3. There can be no doubt that until the settlement of the land question permits the safe introduction of capital into the Colony, so as to develop its resources, the revenue will not show any material increase.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 9.

STATEMENT of Receipts and Expenditure from 11th October to the 31st December, 1874.

RECEIPTS.							£	s.	d.
Customs duties .. .. .	..	..	..	..	..	..	2,817	18	10
Pilotage and light dues .. .. .	..	..	..	..	..	..	89	1	10
Licenses to interinsular trading vessels and boats, &c. .. .. .	..	..	..	..	..	..	49	0	0
Native taxes .. .. .	..	..	..	..	..	..	959	1	0
Fees and fines, Central Court .. .. .	..	..	..	..	..	..	60	12	8
„ „ Court of Petty Sessions .. .. .	..	..	..	..	..	..	34	16	6
Licenses to Polynesian immigrant vessels .. .. .	..	..	..	..	..	..	50	0	0
„ Wines and spirits .. .. .	..	..	..	..	..	..	30	0	0
„ Auctioneers .. .. .	..	..	..	..	..	..	15	0	0
Miscellaneous revenues .. .. .	..	..	..	..	..	..	94	17	9
Postage stamps .. .. .	..	..	..	..	..	..	62	11	4
Total .. .. .	..	..	..	..	..	..	4,262	19	11

Miscellaneous Revenue.

	£	s.	d.	£	s.	d.
Rent of printing plant	23	8	6			
Customs Department	21	6	8			
Labour fees	10	12	0			
Postage stamps	25	12	2			
				80	19	4
Total				2,472	11	3

*EXPENDITURE.**Establishments.*

	£	s.	d.	£	s.	d.
1. Executive	241	13	4			
2. Judicial	117	10	0			
3. Colonial Secretary's Office	58	6	5			
4. Postal	20	16	8			
5. Police	105	16	10			
6. Gaols	35	0	0			
7. Treasury	16	13	4			
8. Customs	75	0	0			
9. Native Affairs	441	0	0			
				1,112	6	10

Exclusive of Salaries

10—1. Judicial	8	8	0	4	12	0
11—1. Colonial Secretary	7	15	4			
11—4. Ditto				16	3	4
12—1. Works	69	5	0			
12—4. Ditto	26	3	7			
12—5. Ditto	66	8	10			
12—6. Ditto	14	4	6			
				176	1	11
13—1. Police	96	1	1			
13—2. Ditto	22	16	0			
13—3. Ditto	0	15	0			
				119	12	1
14—1. Gaols				21	15	11
15—1. Treasury				1	19	6
16—2. Customs	7	5	0			
16—3. Ditto	23	19	0			
				31	4	0
17—1. Native Affairs	6	15	0			
17—3. Ditto	33	6	3			
17—4. Ditto	2	0	0			
17—5. Ditto	10	0	0			
				52	1	3
Total				1,535	16	10

(Signed)

T. HORTON, *Colonial Treasurer.*
C. E. GUNDRY, *Accountant.**Colonial Treasury, December 31, 1874.*

No. 10.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received April 12.)

My Lord,

Government House, Sydney, February 10, 1875.

I HAVE the honour to forward a copy of a despatch which I have just received from Mr. Layard, reporting the result of the interview which he has had with the chiefs and people of the mountain tribes of Viti Levu at Rewa on the 22nd ultimo.

2. Mr. Layard promises a more full report by the next opportunity.

I have, &c.

(Signed)

HERCULES ROBINSON.

Inclosure in No. 10.

Sir,

Government Office, Levuka, January 25, 1875.

I HAVE great gratification in acquainting you that our proposed meeting with the Kai Tholo Chiefs and people came off on the 22nd instant, having been postponed from the 10th, the day originally fixed, in consequence of the state of the country, the late hurricane rendering travelling impossible.

2. Our meeting was a thorough success—chiefs and people were there who had never been out of their mountain fastnesses in their lives. We estimate that about 500 were present—some say 700. They were very much frightened at first, and some anxiety was expressed by Mr. Carew, who has been our agent to them and got them all together, that many of them would grow faint-hearted and steal away home again, but he prevailed on all to stay, and we brought the meeting to a most satisfactory termination, by inducing five of them to accompany us to Levuka in the steamer, for the purpose of showing them Her Majesty's ship "Dido," the town, and what little civilization we have here. When your Excellency reflects what utter savages these men are, I think you will agree with me that this mark of their confidence is very surprising.

We show them the "Dido" to-morrow, and Captain Chapman has kindly consented to have a little gun-practice. I must not omit to mention the assistance I have received from this officer, who accompanied me up the river with an armed boat and crew, and by the exhibition of some of the modern arts of war, to which I alluded in my speech to the people, contributed very much to the success of our expedition.

3. I will furnish your Excellency with a full report of our whole proceedings by the next mail. I regret to say a sudden seizure of illness precludes my working up the notes taken by my son (the Vice-Consul for Tonga, whom I took as my Secretary), in time for the steamer. Added to this, I have to make preparations for our immediate departure in Her Majesty's ship "Dido," for Mathuata, where, I regret to say, tribal war and murders have again broken out.

4. The Hon. the Colonial Secretary again accompanies me, and we have resolved to bring to Levuka the Chiefs whom we may find have caused the disturbance, and to detain them here till I am furnished with your Excellency's instructions.

5. Mr. Thurston's thorough knowledge of the country, the people, and the language, has enabled him to be of the greatest service to me in this matter of the Kai Colos. He mixed with them freely, learning their sentiments, and putting in a "word in season" with marked effect.

6. The Hon. the Treasurer was also of the party, and the Stipendiary Magistrate of South Viti Levu, and Ra and Yasawas. Messrs. H. Thurston and Eastgate, also Ratus Apeli and Savanatha, and Ratu Kini from Nandi, brought up by Mr. Thurston, and in the opinion of all present, the most thorough good understanding has been come to, and that the seeds sown will have good fruit, and probably save thousands of pounds and many valuable lives hereafter.

I have, &c.

(Signed) E. L. LAYARD,

Administrator of the Government of Fiji.

His Excellency Sir Hercules G. R. Robinson, K.C.M.G.,
Governor of New South Wales and Fiji.

No. 11.

The Earl of Carnarvon to Governor Sir H. Robinson, G.C.M.G.

Sir,

Downing Street, April 20, 1875.

I HAVE the honour to acknowledge the receipt of your despatch of the 19th of February,* inclosing statements of the receipts and expenditure of the Colony of Fiji from the 11th of October to the 31st of December, 1874, and also for the month of December.

I have, &c.

(Signed) CARNARVON.

No. 12.

The Earl of Carnarvon to Governor the Hon. Sir A. Gordon, K.C.M.G.

Sir,

Downing Street, April 26, 1875.

I HAVE the honour to transmit to you, for your information, a copy of a despatch from Sir Hercules Robinson,† together with a copy of the reply which I have returned

* No. 9.

† Nos. 10 and 13.

to it, relating to the meeting of Mr. Layard on the 22nd January last with the Chiefs and people of the mountain tribes of the Viti Levu.

I have, &c.
(Signed) CARNARVON.

No. 13.

The Earl of Carnarvon to Governor Sir H. Robinson, G.C.M.G.

Sir,

Downing Street, April 26, 1875.

I HAVE the honour to acknowledge the receipt of your despatch of the 10th of February,* inclosing one from Mr. Layard giving an account of his meeting with the Chiefs and people of the mountain tribes of Viti Levu on the 22nd of January last.

I have noticed with much satisfaction the success which attended the steps taken on this occasion.

I have, &c.
(Signed) CARNARVON.

No. 14.

Colonial Office to Treasury.

Sir,

Downing Street, May 1, 1875.

I AM directed by the Earl of Carnarvon to request that you will state to the Lords Commissioners of the Treasury that his Lordship would be glad to be informed whether the proposal which was made in my letter to you of the 25th of February,† in respect of the grant of an Imperial guarantee for the interest of a loan to be raised for the Colony of Fiji, or an advance in aid of the Colonial revenue, has received their Lordships' consideration, and in which form it is thought preferable to give the required financial assistance.

I am, &c.
(Signed) R. H. MEADE.

No. 15.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received May 10.)

My Lord,

Government House, Sydney, March 17, 1875.

IN continuation of my despatch of 10th February, 1875,* I have now the honour to forward to your Lordship a copy of a despatch, with its inclosures, which I have received from Mr. Layard, containing a detailed account of his interview with the Chiefs of the mountain tribes of Viti Levu.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 15.

Sir,

Government Office, Levuka, February 5, 1875.

WITH reference to my despatch of the 25th January, I have now the honour to forward to your Excellency a detailed statement of my proceedings on the occasion of my meeting the Chiefs of the mountain tribes at Navuso on the 22nd of January.

2. I left Levuka in the steamer "Pride of Viti," which was chartered for the purpose, in company with the members of the Executive Council; Captain Chapman, of Her Majesty's ship "Dido," whom, with their approval, I had asked to be present; Mr. H. Thurston, the Magistrate of the district; my son, the Vice-Consul for Tonga, who acted as my Secretary, taking notes of the proceedings; and Lieutenant Olive, R.N., in charge of a small number of the native armed police, as a guard of honour. We had in tow an armed cutter belonging to Her Majesty's ship "Dido."

3. We reached Navuso just at night-fall, and found the landing-place crowded with townspeople and mountaineers, who, with the exception of four or five, had all cut off their huge heads of hair, cherished since their birth, in token of their submission. The native guard was landed, and received me with the usual honours, the natives crouching in the usual Fijian fashion signifying respect.

4. I was met by Mr. Eastgate, the Magistrate of Ra, and the Yasawas; Mr. Carew, the gentleman who had been our messenger to the tribes; and Ratu Kini, the powerful old Chief of Nandronga, who had brought up five of the mountain Chiefs of his district; and some of the neighbouring planters. Mr. Carew, in the course of a long chat, informed me with regard to the points on which the mountaineers required information. To these, your Excellency will see, I have alluded in my speech.

5. The next morning the Chiefs were summoned to a friendly conference in the house in which we had stayed, and I must now refer your Excellency to the notes taken by Mr. L. Layard, who acted as my secretary (which I hereto annex), which fully detail what took place.

6. Our conference with the natives seems, from what we could gather from them in familiar conversation, to have given them great satisfaction. The Honourable the Colonial Secretary, Mr. Thurston, whose able assistance I again desire especially to bring to your Excellency's notice, mingled freely with them, and ascertained their feelings and sentiments. They seem to have dreaded chiefly that new laws which they did not understand would be thrust suddenly on them; and chiefly that they would be forced to put away their wives, if they "lotued," or accepted teachers among them, and that they would be fined if they did not go to school and church. My assurances to the contrary seem greatly to have relieved their minds.

7. Mr. Thurston selected ten of them to accompany us to Levuka, to see something of civilization; and when your Excellency reflects that the majority of the crowd that met us had never before been even as far as Navuso, on account of the tribal feuds between them, I think you will agree with me that they showed great confidence in us.

8. We remained over Saturday to see them all safe away on their return to their homes, and I took advantage of the delay to visit the Wai-Manu River, on the mouth of which tributary of the Rewa Navuso is situated. I was much gratified to see the extent of cultivated land on this river, and the magnificent sugar-cane growing there; it had, I regret to say, suffered somewhat severely during the late hurricane, but if any mills had been in the neighbourhood the majority might have been utilized.

9. On Sunday morning with the early tide we returned to Levuka. The astonishment of the natives at the movement of the machinery propelling the paddle-wheels was very amusing, as were also their exclamations at their first sight of the sea.

10. On Monday the Chiefs paid a visit to the "Vuni Valu" at Drai-emba, which was very pleasant and satisfactory; and on Tuesday, the 26th ultimo, they should have visited the "Dido," but were prevented by the inclemency of the weather; however, the next day (Wednesday) we had a most successful visit.

11. Captain Chapman, whose assistance to me throughout I beg gratefully to acknowledge, exercised the men at great-gun and small-arm drill, firing shot and shell, making excellent practice. And I think these manifestations of our power will have a very salutary effect on the minds of these people. They were shown over the ship, and, after a group of them had been photographed round the large several inch guns, so that they might take back to their homes a memento of their visit, which would aid them in explaining to their people what they had seen, I had them conveyed on shore, and showed them over my own residence, that they might see how the white men lived. They were then confided to the care of Ratu Apeli, who, during our absence on the Mathuata coast, conveyed them back to their homes *via* Bau.

12. I had photographs taken of our public meeting at Navuso, of which I beg to inclose copies, thinking that illustrations of so interesting an event as the voluntary entrance into the pale of civilization, law, and order, of these hitherto irreclaimable savages would gratify your Excellency, and perhaps meet with a gracious acceptance at the hands of Her Majesty the Queen, who will, I feel sure, be glad to know that the moment her Sovereignty is proclaimed over these Islands, cannibalism, infanticide, the strangling of widows, murder, &c., are renounced by the only savage remnant of the races that people them.

13. I have incurred an expenditure of 81*l.* 18*s.* 9*d.* in carrying out this expedition. It is in excess of the sum that I originally informed your Excellency that I should require, but I felt—and in this my Council fully coincided—that this was an occasion and an opportunity that we should not neglect, and that what we did should be

thoroughly done. We all feel that it has been a great success, and will bear good fruit in the future. Mr. Carew deserves your Excellency's commendation for the way he has brought these people within our influence. I have caused my thanks to be officially conveyed to him; besides acknowledging them privately. Much is also due, I conceive, in the submission of these tribes, to the sound thrashing they lately received at the hands of the troops of the late Government, under command of Major Harding, when at least 3,000 of them attacked his small force of 210 men, and were ably out-generalled and beaten by him. He and 100 of these men were at my request conveyed to the coast (from whence they marched into the interior), by Her Majesty's ship "Renard."

14. For the first time, the mountaineers have met the Government, many of their old native enemies, and white men, as friends; and, while they have seen our strength, they have been assured that it will be exerted to protect as well as punish them; that we wish them to dwell in peace; and that when wholly in our power they have been allowed to go scathless, as we do not practise treachery.

I have, &c.

(Signed) E. L. LAYARD, *Administrator.*

His Excellency Sir Hercules G. R. Robinson, K.C.M.G.,
Governor of New South Wales and Fiji.

Inclosure 2 in No. 15.

Minutes of Proceedings at a Meeting with Mountain Chiefs from interior Viti Levu, at Navuso, on the Rewa River, on the 22nd January, 1875.

SIXTY-NINE of the Chiefs being assembled in the spacious house of Audi Kuila, the King's daughter, Mr. Carew spoke to them and said he had brought down their message to the Governor that they wished to give up the country to the British Government, and come under the law and the "Lotu;"* and that now the Governor had come up, with his Council, to hear this from themselves, and to talk with them, and explain to them such points as they wished explained.

Ro Saro, one of the principal native Chiefs, said,—Yes; it was right. They had come to give themselves to Britain. They were all of the same mind; and what they said, that they would do.

Several of the principal Chiefs were here introduced to the Administrator, and came up to shake hands with him, crouching in the Fijian attitude of respect.

His Honour then spoke to the following effect:—

He had come up at their request to see and to speak with them, and his Council were there to confirm by their presence that the words he spoke would be true. (Here the Members of the Council were indicated to them, as also Captain Chapman, of Her Majesty's ship "Dido," who, at the Administrator's request, had accompanied the party.) His Honour continued:—He was glad to see the Chiefs present, and to hear that so many of the principal men from the mountains were here, as it was a proof of the confidence they had in the British Government. He hoped they would often, in the future, meet the Government officials, both European and native, who would be accessible to them whenever they wished. This was a beginning of friendship, and the Government wished them to have perfect confidence in it, and they might depend that whatever the Government promised or said, it would do. He would now explain to them about the cession of Fiji to Great Britain. The possession of these islands was not sought by Great Britain, but was a voluntary gift on the part of all the great chiefs who represented the people. In taking possession of the islands, consequent on that offer, Her Majesty the Queen had no other object in view than the good of the inhabitants. (Cries of "venaka! venaka!" [very good!].) The Queen thought all disorders might be prevented, and Christianity and civilization promoted. In order to do this, the acts of the old Government had not all been swept away, but a new and much more powerful Government engrafted on it,—because Great Britain was a far stronger country.

They had heard that the laws would be administered to the native tribes by their own Chiefs; this was true. Some of their Chiefs would be appointed by Government to rule them (a white officer would hereafter be placed with them), and this would show them that Great Britain did not wish suddenly to do away with their native customs, only those repugnant to civilization. The British Government did not wish to force suddenly on them any laws they did not understand.

* Christianity.

He had come to meet them that they might themselves ask questions upon any point on which they might want information. Had heard from Mr. Carew about some of these points; and with regard to cannibalism, murder, infanticide, and the strangling of widows, Great Britain would not allow them to go on in any country where it had power. All the coast tribes had adopted the laws against these things, and they must do the same. The coast tribes lived in peace with each other; they must do the same, and with the coast people; and leave off their intertribal wars, such as stealing women, clubbing men, robbery, and such like.

They might be sure the Government was strong enough, and would severely punish people who committed such acts. If any tribe went to war, and disturbed the public peace, it would bring on itself its utter ruin. They knew how punishment had fallen on tribes that had committed murder,—such as that of Mr. Baker, the Burnes family and others. The Government would let “by-gones be by-gones,” and, if they behaved themselves, would not call them to account for these things; but if any tribe who had done these things was again guilty of the like, double punishment would fall on it. The coast tribes, too, would bury the past, and let them have free passage to the sea, when and where they liked, and they would come and go on their lands,—but in this they must reciprocate,—and the Government and its officers would go where they liked; and it was their duty to be hospitable and kind to travellers in their country, and they would also be well received when they travelled. No outrages would be permitted: and they must understand and remember that if the Government was strong to punish outrage on their part, it was equally strong to protect them from outrage.

They were here asked if they understood what had been said to them, and if they had any questions to ask. They replied, through Ro Saro, that they quite understood.—Ratu Kini had been explaining, in the true mountain dialect, when he thought there was any doubt or difficulty; the Honourable the Colonial Secretary having also occasionally supplemented Mr. Carew’s explanation.—They had said before, and repeated it, they were hill-men, and stuck to their word, and were not like the coast Chiefs who said one thing at one time, and another thing afterwards. Mountain Chiefs spake once for all! About polygamy? They could not live without their women; the Chiefs especially, who had to show hospitality to those who came, the women cooked food, got water, and waited on them.)

His Honour resumed:—He was very glad, indeed, to hear that they were men of their word, and hoped they would prove so, having placed themselves under the British Government. He would revert to the polygamy question hereafter; but he had heard some of them were anxious about taxation. The British Government had already shown how desirous it was to promote the welfare of the people, by its consideration of their circumstances, and had appointed the amount of taxation in the different districts in relation to the facility of obtaining money in those districts. In one, they had fixed the tax at 10s., because money was plentiful; in another, it was 7s 6d.; in another, 5s., because money was hard to get.

The Government knew that they had very little or no money in the mountains, and that it would be impossible for them to pay even in produce, as it could not be removed; but as every one was bound to contribute to the public good,—the good of the country,—the Government had provided a method by which, while contributing to that general good, each district which could not pay might, at the same time, be benefiting itself. It allowed the people to commute their tax for labour on public works,—such as making roads and bridges, and building houses for public use of Government officers, courts, and such like. (They here exclaimed they well understood, and it was customary among themselves.) His Honour went on:—The only tax the Government would now exact from them would be making good roads through their districts, for the benefit of travellers; then European traders would come up and bring cloth, and axes, and knives, and trade of all kinds, and take their produce in exchange, and they could carry their produce to the coast. All over the world, roads were the great means of civilization, by bringing people together and making them friends. He should estimate their goodwill to the British Government by the way they carried this out, and made roads. (Cries of “They would make roads!”) Well, they must also let people pass along the roads without robbing or murdering them. If they did not, they would be severely punished. The British Government had only lately punished a nation that was very powerful and numerous,—that had hundreds of men where they had one man,—for murder and human sacrifice. The British soldiers went and utterly destroyed their great towns, and made them pay a very heavy fine. If they provoked the British Government to anger, thousands of soldiers

could be sent against them, with weapons of which they knew nothing,—one of which would be shown them presently,—by which their strongest and highest hill towns would be destroyed, as easily as this house could be burned. The little wars they had seen would be nothing to what then would happen. The Europeans were as the pebbles in the brooks, or the blades of grass on that hill-side in number, and they (the mountaineers) would be swept from off the face of the earth. On the other hand, if any one injured or oppressed them, the strength of the Government would be put out to defend them. Every man's life, be he a white man or a black man, was sacred to the Government, and cared for by it; that is the reason why the Government was so particular about murder and bloodshed, and would equally punish a white man if he hurt any one of them.

The captain of the man-of-war sitting at his side would, if any of them came down to Levuka, show them the war-ship and the big guns. (Some here exclaimed they would like it very much).

They had touched on polygamy. At present the Government would not interfere with it. There were other nations under the British Government wherein polygamy was tolerated; but if they accepted the "Lotu" from their hearts, they would find out that one woman was enough for one man for his wife. There was one thing, however, the Government would not permit—a woman being forced against her will. If any woman complained that she had been carried away forcibly, the Government would punish the persons who did it. He would be very glad to hear that they had accepted the "Lotu," but they would not be compelled to accept it; religion would be forced on no man, neither should they be fined for not going to church or to school, as he heard some of them feared they would be. No one could fine them, being British subjects, except the properly appointed Government officials, and only then for committing offences recognized by law. (Some war-rockets were here brought in and explained to them, and some of the Chiefs took them from Captain Chapman, and showed them round to the others. Captain Chapman said he would fire one presently, to show how it would reach their highest towns). His honour said, before they parted, the Colonial Secretary had reminded him of one thing. One of the most serious causes of quarrel with them had arisen from the feeling among them that if a man came to them, no matter what great evil he had done—murder, or forcing women, or what not—they considered themselves bound to protect him from the just punishment his crimes deserved, and refused to give him up. This would no longer be tolerated. His Honour then told the Chiefs that he had now finished for the present; if any one desired to ask a question, let him do so, and he would answer him; he should expect an expression of their intentions, and a reply as to whether or not they would live in peace. The Chiefs proposed that they should retire and talk amongst themselves, which was agreed to, his Honour appointing four o'clock in the afternoon for a public meeting in the "Rara," or village square.

The meeting then adjourned, and the Chiefs and people proceeded to the river bank, where the cutter of Her Majesty's ship "Dido" was stationed with the rocket-tube. A 24-pound rocket was then fired at its highest elevation, and the gush of fire at starting, and the black mass plainly visible moving through the air, belching out fire and smoke, caused the greatest surprise and consternation, many of them screaming with fear. His Honour again assured some of the Chiefs near him that England's power would be used for their protection as well as punishment.

At 4 p.m. on the same day, the whole of the mountaineers being assembled in the "Rara," or public square of the town, under temporary covered booths, his Honour the Administrator, attended by the Executive Council, Captain Chapman, and his Aide-de-Camp, Sub-Lieutenant Bremer, Mr. H. Thurston, the Magistrate of the district, Mr. Eastgate, the Magistrate of Ra and the Yasawas, Mr. L. Layard, the Vice-Consul for Tonga (acting as his Honour's Secretary, to take notes), Mr. Carew, Ratus Apeli, Savanatha, Kini, and some of the neighbouring planters, entered the square, and was received by a guard of honour, under Lieutenant Olive, R.N., in command of the native armed constabulary. When the party were seated, Ratu Apeli (the late King's eldest son), as had been previously arranged, stepped forward and addressed the people, and said:—

"Chiefs of the Mountain and Inland Tribes, you have heard what the Governor said this morning. What he said is the wish and determination also of us the Fijian Chiefs, who are officers of the Government.

"I wish to say something to you at this meeting, for to-day is the beginning of a new era; the past is buried, and *we* shall not dig it up again—take care that *you* do not.

You have killed many of our people and many white men; we have killed many, very many, of your people, and destroyed your towns and plantations. We are anxious and ready to begin a period of friendship with you.

"We Chiefs of Fiji have given our country, Fiji, to the Queen of England; we have done it unanimously, and we are now under her laws. I wish to tell you that those laws affect all men and classes alike. If a Chief does wrong, he is amenable to the law; if a common man does wrong, he will be punished the same as a Chief, but neither more nor less. The law will not protect the Chief and oppress the commoner, but, like sunshine, it will fall upon all men alike. I want to impress this upon you, that you may go back and explain it to your people in the hills. There is no scheming or treachery in these proceedings; the object of the Government is to benefit and protect everybody, not to oppress or take anything away from them.

"I am very glad of this day's event, and I think good things will result from it. Do not you people, however, make a mistake. The Government of this country is now stronger than ever it has been. Formerly this country was darkened by clouds, then came a time when some of the clouds broke up, and we had some sunshine—we lived in comparative peace. Now, under the Queen's rule, we, with the exception of one little cloud, have a clear and open sky. You are the little cloud, and that little cloud must clear itself away.

"Do not go back to your hills and forget what has taken place to-day. Let the ending of this meeting be the beginning of peace and friendship between us.

"I have finished."

He was followed by Ratu Savanatha, who said:—

"You Chiefs and people of the mountains, Chiefs from Dawaran, Muya Malo, Na Vosa, and other tribes, let me say something that will be useful to us all.

"This is the age of law, the age of light, and the day when every man must make himself useful. He who will not put away the darkness from his mind, must bear the consequences. I will tell you the consequence of trying to continue our evil Fijian customs, the customs which are interdicted (tabooed) by the Queen's laws—the consequence is ruin. There must be no more murder, no more poisonings, no more stranglings, no more infanticide, no more abduction of women, no more of those devilish practices that make Fijians contemptible and hated things in the eyes of good white men.

"We of the coast have given up these things. We have been taught a true religion, and now know the evil of what we formerly did. You must learn to be religious—you must give up heathenism. Ratu Abel has told you his mind, and therefore I have not much to say. Do not suppose, because I say you must give up murdering and eating one another, that I want to threaten you; I only want to tell you, in a friendly way, of your foolishness. You have asked about your lands and the laws, and also about your women. Ratu Abel has told you about the law, and the Governor has said that you shall have fair time to learn the law, and know what is required of you. As for the land, I have to say this, that it is quite true that we have given our country and ourselves to the Queen of England—her's is the law, the land, and the people; we have given it. Yet we have lost nothing. This is not like our Fijian custom. With us, when a Chief accepts a thing, he takes it away. The Queen accepts the country, but she does not take it away—it remains to us, and (as Mr. Layard has said) no one will interfere between you and your people so long as you act as he, or some other Governor, directs you, and not according to your own foolish notions.

"This is the end of my speaking."

Ratu Kini then addressed them, in the dialect of the mountains, in an emphatic, animated speech; he was understood to explain and reiterate what the other Chiefs had said.

Then followed Napoleoni, who stood forward and said:—

"I wish to draw attention to one matter upon which the two Chiefs who have just spoken did not touch. There is one principal source of trouble in Fiji, and that is the jealousy (*veingati*) or jealous emulation of Chiefs and tribes. When a man commits the crime of killing some one, or drags away (abducts) a woman, he runs away to some tribe for shelter. This tribe foolishly considering itself duty-bound to protect him, it will not give him up to be judged and punished. Very often the officers sent after him are insulted and driven away, and then force is used by the Government to arrest him. By-and-bye it becomes a small or a great war, and many people are killed. This was the way, the year before last, when the Viria and Waikalou people massacred the inhabitants of Sanguununu. The Government sent for the murderers, and all your

tribes came in and sheltered them. This led to war, the destruction of Viria and Waikalou, the confiscation of their lands, and great loss and damage to yourselves, for the Government has been at war with you ever since.

"Now, my advice is that, in the future, you give up every one who offends against the law; that you respect the officers of police sent after criminals; and that you give them up without delay. Do not think or try to protect them; give up your "veingati," which will only get you into trouble; give up your false sense of importance and strength, because you are not strong, but weak. This is all I have to say; I am glad to be at this meeting, and to hear you agree to what the Governor has said, for now we are one people under the Queen of Britain, and under one law.

"I have finished."

Manu Marni ni Vundi, the Buli of Na Kasikawa tribe, and Nindame, the Chief of Na Lawa, also addressed the meeting.

His Honour then concluded, and wound up the meeting in the following terms:—He was glad to see so many people from the mountains, and to be able to speak to them; that morning he had met all their head Chiefs, and had explained to them what they wished to know and what they had to do; they would repeat his words to their tribes; it now rested with themselves whether they would obey the laws, live peaceably and be happy, or, by doing evil, bring upon themselves punishment and extermination. The Chiefs had told him they were men of their word, and had given the country to the Queen. Ratu Savanatha had explained to them how the Queen possessed the land, and he, in Her Majesty's name, would therefore send the Government officers, white and native, up and down through the country, and they must treat them properly.

They, too, could travel freely over the land, come down to the coast, or to Levuka, or Bau without fear; no one should harm them. They were free to come and go on the Queen's land. That was the use she made of it. They could come to Levuka to the Governor when they wished to tell him anything, and he would always receive them. As long as they behaved well and lived peaceably, as the Chiefs who had spoken to them had said, all the old things would be forgotten—buried—and a new time would begin in friendship. He was the mouth of the Queen to them, and the Council was with him to confirm the truth of what he had said by their presence. He hoped that their meeting together, with the words he had spoken, would bear good fruit. When the roads were opened, he would come up and see them again in their own towns.

His Honour then, accompanied by Mr. Carew, walked round and spoke to many of the people. Selecting one man who was conspicuous by a deep dent in his forehead, and almost blind, he asked how that terrible wound had been occasioned. His Honour was told it was a club wound, and he took occasion to remark that he hoped such things had now ceased for ever, at which there was a murmur of "Venaka, venaka."

Ratu Savanatha then presented to the Chief whales' teeth and mats on the part of himself and the other Chiefs, and a present of cloth and long 16-inch knives on the part of the Government, all of which were received with gusts of acclamation, and the usual rythmical clapping of hands, and the meeting adjourned till the evening, when a blue light summoned all to the river's bank. Three 24-pound war rockets were thrown up with splendid effect, the whole length of the long "reach" of the stream. Some of the mountaineers threw themselves flat on the ground and screamed with terror, the shouts of astonishment of the multitude being heard a long distance up the Wai Manu.

No. 16.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received May 10.)

My Lord,

Government House, Sydney, March 17, 1875.

I REGRET to have to inform your Lordship that measles have broken out in Fiji with some violence. The disease has taken an epidemic form, and has proved fatal in many cases among the natives.

2. I inclose three despatches which I have received from Mr. Layard on the subject.

I have, &c.

(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 16.

Sir,

Government House, Fiji, February 12, 1875.

I REGRET having to acquaint you that, since the arrival here of Her Majesty's ship "Dido," the measles, for the first time, has made its appearance in Fiji.

2. Up to the present moment, the sickness has confined itself to the native people, but is spreading fast beyond Levuka, and will most probably run through the whole country. Fortunately, it presents itself in a comparatively mild form.

3. The Colonial Secretary informs me that there are nearly 100 of the native constables down with it, and hence I have had to authorize some small expenditure for medical and sanitary requirements, and the engagement of a wardsman. Unless watched the men have a tendency to walk into water by way of reducing the fever under which they suffer.

4. In some cases an acute dysentery has followed this act, and I have therefore caused brief instructions for the treatment of the sickness to be printed in the Fijian language and sent among the native population. The Health Officer, Dr. Cruickshank, has been most assiduous in his attentions to the sick men, and I trust I may soon be able to report the re-establishment of general health.

I have, &c.

(Signed)

E. L. LAYARD, *Administrator.*

His Excellency Sir Hercules Robinson, K.C.M.G.,
Governor of New South Wales and Fiji.

P.S.—Since this was written, I regret to say several Europeans, adults as well as young people, have been attacked.

E. L. L.

Inclosure 2 in No. 16.

Sir,

Government House, Fiji, February 25, 1875.

I REGRET to have to inform you that the measles, so unfortunately introduced into this Colony by the Vuni Valu and his sons, on their return from Sydney in Her Majesty's ship "Dido," have spread to an alarming extent, in spite of every precaution we have been able to take since it first broke out.

2. I have to deplore the loss of Ratu Savanatha, one of the ablest, most intelligent, and amiable of the native Chiefs; one who thoroughly appreciated the good that might be derived from the introduction of English rule, and understood our position here, as exemplified in his speech to the Kai Tholos at Navuso, reported to your Excellency in a previous despatch. His loss as a trusted servant of the Government cannot be too much deplored at this moment.

3. As the "Fiji Times" has published an article on the introduction of the disease, and endeavoured to throw the blame on the Colonial Secretary, I deem it my duty to acquaint your Excellency with the circumstances under which the Vuni Valu and his sons were allowed to land without those precautions which I now see, too late, should have been taken, of the necessity of which I was unaware.

4. Her Majesty's ship "Dido" arrived here on the 12th January, 1875. She came in as usual, without any yellow flag flying, indicative of having an infectious disease on board. The moment she anchored, I, in company with the Colonial Secretary and my son, the Vice-Consul, boarded her from our own boat, with a native crew, who also came freely on board, and mingled with the other natives without any attempt being made to restrain either us or them. Her own boats were also immediately put in the water, and almost immediately communicated with the shore.

5. Captain Chapman shook hands with me, and told me the doctor had something to tell me. We walked into his cabin, and there found the Vuni Valu, with whom we shook hands, as we did with Ratus Timothy and Joseph, and the other natives. Dr. Goodman took me aside, and informed me that Ratus Timothy and Joseph had had measles, and one of them also had venereal disease.

6. I did not look upon the information, from the way it was given, as a warning or a caution, or, in fact, as an "official communication," but just as a "something" I should know. I was more shocked to hear of the venereal disease than of the other, of which I thought little; but I said, "Cannot you keep them on board until we get some place to put them in?" Dr. Goodman said, hesitatingly, "No; they had no means of doing so" and added that they were now quite well, and had been so for some

days. The conversation now became general, and the thing was treated as a joke, no caution was given me or the Colonial Secretary of the danger of infection. Other shore boats and canoes had now come with Europeans and natives, who were allowed free access to the ship, and their own boat went ashore before I left the ship. Ratus Timothy and Joseph and others had gone ashore in their own boats. I confess I had no idea of any danger. I have never yet been in a position to witness similar results from the disease, and, not being a medical man, could not be expected to know the probable effects of allowing these people, reported well for some days, to go ashore.

7. That Dr. Goodman could not think seriously of the disease is shown in the fact that, beyond the mere report of the existence of it, he never advised me to take any precautions; never suggested any; allowed every one to communicate freely with the ship; allowed the passengers to go ashore without any remonstrance; and, finally, has allowed the embarkation of 100 Polynesians in her, to return to their homes.

8. If the seeds of the disease are carried by them to the Polynesian Islands, the effects will be most disastrous among the natives. I have just stayed the shipment of 150 per "Loelia," with whose owner I had all but completed an advantageous agreement, inasmuch as he would not have brought labour back, desiring to proceed to the Colonies for some repairs to his vessel. I also took upon myself to refuse to allow a vessel to clear for Samoa with native passengers on board, and, on their being disembarked, only granted clearance to the vessel on her receiving a clear bill of health from the medical officer, and entering into a bond to approach Samoa with a yellow flag flying, and not to communicate with the shore until an official Report had been made to the British Consul (to whom I also wrote very strongly in a private letter), and she had been inspected by him, and pronounced clean.

9. I have thus done all I can to prevent its spreading to other groups of islands, but to stay its progress here is impossible—it is *everywhere*. The natives will not do as they are told, but will expose themselves to cold and wet, to allay the feverishness. Some actually creep away at night from the guard we have stationed over them, and go and lie down in the sea or creeks; this brings on dysentery and congestion of the lungs, of which Ratu Savanatha died. We have published and distributed plain directions for its treatment; but, I regret to say, some evilly-disposed white persons have told the natives not to take our medicines, as they were only meant to augment the disease, which has been purposely introduced to enable us to kill them, and get their lands.

10. I inclose statements by my son and the Colonial Secretary as to what occurred on board Her Majesty's ship "Dido," and their impression of the whole affair.

11. Since the above was written I have learnt that the steamer "Wentworth," which arrived here from Sydney, *via* New Caledonia, had the measles on board, and that during the voyage a child of Mrs. Tate, of Taviuni, and its native nurse (a man), died from the effects of it. Mrs. Tate took her surviving child to the house of a Mr. Moore of this town, and all his children were attacked by it. This has been kept as quiet as possible, and the introduction of the disease thrown upon the shoulders of myself and the Colonial Secretary.

12. Yesterday, in Council, I appointed Dr. Cruickshank (the medical officer), Health Officer for the town, and Captain Headstrom (the Harbour-Master), Assistant Health Officer, to board all vessels entering the port, and enforce the quarantine regulations of New South Wales.

I have, &c.

(Signed) E. L. LAYARD, *Administrator*.

His Excellency Sir Hercules Robinson, K.C.M.G.,
Governor of New South Wales and Fiji.

P.S.—I have discovered that the "Western Star," also from Sydney, had the measles on board on her arrival, and, singularly enough, communicated it through a son of a Mr. Bucknell to another son of Mr. G. Moore, while at Luva. Attempts are being made to hush up this case also by interested parties.

I inclose copy of a notice we have caused to be printed and published, and which the Assistant Health Officer will take with him to all vessels entering the port.

E. L. L.

Inclosure 3 in No. 16.

Memorandum.

REFERRING to the arrival of Her Majesty's ship "Dido" with Thakobau and his sons Ratus, Timothy, and Joseph, and the introduction by them of the measles into this Colony, I have the honour to state that upon arrival of Her Majesty's ship "Dido" (12th January) I accompanied his Honour the Administrator on board, and together with Mr. Leo. Layard ascended the side as soon as the side ladder was secured. His Honour, upon reaching the deck, walked aft to the cabin with Captain Chapman. I stood for a few minutes in the gangway chatting with Lieutenants Ducat and (I believe) Knox. By them I was informed that the ex-King and his sons were "all right," but Timothy and Joseph had contracted the venereal disease. I then went aft and shook hands with Thakobau, who almost at once told me the same thing, and called my attention to the sons' lean condition. Joseph told me they were well excepting a slight cough. His Honour and Dr. Goodman were conversing upon a sofa near me, and I heard the word "measles," and most certainly the word "convalescent," but did not pay attention to, nor join in, the conversation at that time. Subsequently I did clearly understand that some of the natives had had the measles, and also understood that the people were convalescent, and that they might go on shore. Thakobau was asked within ten minutes of our going on board whether he would send for his large canoe, or whether he would land in one of the "Dido's" boats. He said in a boat, and the first or second cutter being lowered, he, his people, and a quantity of baggage, were at once landed at Draiba village. My opinion is that neither Captain Chapman nor Dr. Goodman thought there was any danger in their landing, and certainly none was ever hinted. Prior to the landing of Thakobau my boat's crew had been freely admitted on board, and had mingled with Thakobau's servants. Had any conviction existed in the mind of the doctor as to the probable, and we now know certain, effects of this unhappy landing, surely some very distinct caution and some unmistakeable recommendation would have been made. As none such was, to the best of my knowledge and belief, ever made, and as the ex-King was landed almost as soon as the ship's anchor was down, and as natives from the shore were unhesitatingly admitted to instant communication with the ex-King and party, I can only conclude that the ordinary caution and warning given when sickness prevails on ship-board was not considered at all necessary in this instance.

I regret to say that some malevolent person or persons have circulated a rumour among the native population that the introduction of the epidemic has been intentional on the part of the Government, and the "Fiji Times," which has lately taken to printing mischievous sentences in the Fijian language, refers to it as a part of my native policy. As to the former I do not find that the natives believe it, though at this moment they are certainly open to doubts; the latter I treat with profound contempt, though I think it will become necessary for the Government to consider whether a journal shall be permitted to continue a longer career of personal and party abuse and attack, in which it does not hesitate to insinuate ideas of a most dangerous tendency in order to gratify the disappointed and cavilling portion of this community.

(Signed) JOHN B. THURSTON,

February 26, 1875.

Colonial Secretary.

Inclosure 4 in No. 16.

Memorandum.

Levuka, February 26, 1875.

WITH regard to your request that I would put in writing what took place on board Her Majesty's ship "Dido" upon her arrival in this port from Sydney, I can state:—

1st. That the "Dido" entered the port of Levuka without any plague flag flying.

2ndly. That the "Dido's" boats were lowered at the same time as the anchor, and at once communicated with the shore.

3rdly. That no impediment was offered to our native crew from the Government boat mixing with the friends on board.

4thly. When we were on board Dr. Goodman told you that Ratu Timothy, son of the ex-King, had the measles, and another native also, you at once requested him to

keep these infected persons on board until you could take measures to have them kept in strict isolation. He replied that they could not be kept on board, that they were "convalescent," and that there was no danger of infection, and treated the whole matter as a joke.

5thly. That very shortly after the "Dido" had anchored the infected persons, with their personal effects and native servants, were put into the launch and landed at the ex-King's residence in the native town of Drainba.

(Signed)

LEO. LAYARD, *Vice-Consul for Tonga.*

His Honour E. L. Layard,

Administrator, &c., &c., &c.

Inclosure 5 in No. 16.

QUARANTINE LAWS.

Notice.

Colonial Secretary's Office, Levuka, February 25, 1875.

HIS Honour the Administrator of the Government, by and with the advice of the Executive Council, has been pleased to direct it to be notified that the several provisions of the Acts of Parliament of New South Wales, 3 Wm. IV, No. 1, and 17 Vict., No. 29, relating to quarantine will be strictly enforced.

Particular attention is directed to the several clauses hereafter summarised, that is to say,—

"All vessels arriving from places beyond the Colony, and all boats or vessels receiving from or out of such vessel any person, goods, merchandize, packages, baggage, books, letters, or other articles that shall have come in any such vessel, or such person or articles as shall have gone or been put on board any such vessel, either before or after arrival, shall be liable to quarantine, and to such order or orders which shall be made by the Governor, with the advice of the Executive Council.

"That the Governor, with advice aforesaid, may make such order as shall be deemed necessary upon any unforeseen emergency or particular case.

"That the master of any vessel arriving as aforesaid refusing to answer such questions as may be put by the Health Officer or other person shall be liable to a penalty of 300*l.*, or two years' imprisonment.

"That any person quitting or communicating with any vessel placed in quarantine until such vessel has been admitted to pratique shall be liable to penalties of 100*l.* and 50*l.* respectively.

"That persons liable to quarantine may be arrested."

By command,

(Signed)

JOHN B. THURSTON,

Colonial Secretary.

Inclosure 6 in No. 16.

Sir,

Government House, Fiji, March 3, 1875.

I HAVE the honour herewith to forward a Report from the Honourable the Colonial Secretary respecting the spread of the prevalent epidemic measles.

2. I cannot speak in too high terms of the unremitting exertions made by Mr. Thurston in endeavouring to combat the spread of the disease among the natives and to establish confidence among them, but it has burst forth with such virulence, simultaneously at so many points, that all efforts have been nugatory. I regret to say, moreover, that the wicked statements published by the "Fiji Times" have been, I fear, retailed to the natives with the vilest motives. In one issue of the "Fiji Times" it was insinuated that it was Mr. Thurston's native policy to introduce this fell disease, and that if Mr. Swanston had been retained in office it would not have occurred. Comment is unnecessary.

3. With very few exceptions, no one has come forward to help the Government. Mr. Olive, the Superintendent of Police, has been untiring in his exertions to the injury of his own health. William Berwick, the Messenger of the Native Department, has been doing good service at Bau; and I hear Mr. Webb, the Wesleyan Minister there, has also bestirred himself. Here the Missionary has done nothing, though his

people have been so afflicted. Mr. Floyd, the Clergyman of the Church of England, yesterday volunteered to help, stating that he could no longer see such misery and remain idle, though the people are not of his flock; of course I gladly welcomed him as an assistant, and directed him to communicate at once with, and act under, Dr. Harwood, to whom we have committed the care of the north end of the town. Mr. Brookes, the late Wesleyan Minister of Tavunu, has also, since his severance from the Wesleyan body, placed his services at our disposal. Dr. Cruickshank is at work day and night.

4. Tui Levuka's eldest child is dead, but Dr. Harwood's report this morning is that the people of Levuka (native town) "are nearly all convalescent." There are several cases of adult Europeans in town; none fatal.

5. I fear we shall have sad accounts from the interior. Mr. Harding reports from the centre of the mountains of Viti Levu that all the Chiefs who came down to Levuka at my invitation have it, and that it is spreading rapidly. They attribute it to poison and treachery. Mr. Harding, at the imminent risk of his life, is remaining among them to endeavour to restore confidence. A more unfortunate thing could not have happened, and it will be most difficult to restore the good tone of feeling with which the meeting broke up at Navuso. I dare not make any move in the mountains yet, and think Mr. Harding most rash to remain alone as he is doing; but he writes that he is determined to brave it out, and show them his confidence, even if he falls a sacrifice to their mistaken revenge. Mr. Harding is not employed by the Government in any way; he is in the mountains of his own free will, and living with those whom he previously fought and thrashed, and to whom he is perfectly well known.

6. I have of course authorized the issue of medicines and food to those whom we can reach. The attacks have been so sudden and complete that every soul in a village will be down at once, and no one able to procure food, or, if procured, to cook it for themselves or others. The people have died from exhaustion, starvation, in the midst of plenty.

I have, &c.

(Signed) E. L. LAYARD, *Administrator*

His Excellency Sir Hercules G. R. Robinson, K.C.M.G.,
Governor of New South Wales and Fiji.

Inclosure 7 in No. 16.

Spread of Measles—Deaths among the Constabulary.

For his Honour.

SO far as the Constabulary are concerned, the spread of this epidemic has yielded to unremitting care and medical treatment. Before and from the moment when it seemed to fly among the villages of Draiba and reach the police barracks at Nasova, every possible assistance has been given to the sufferers.

For some weeks after the landing of Thakobau, no sign of it appeared beyond his immediate followers from Sydney, who were supposed to be convalescent, and every effort was made, though fruitlessly, to isolate them.

Many of the patients have confessed to having, under cover of night, stolen past the guards, to having entered other houses, and to having laid down in a cold running stream prior to their return. All of these have suffered from dysentery or congestion of the lungs, and many of them have died. Nearly every person who has submitted to medical treatment has recovered.

When first attacked, the total strength of the native constabulary in barracks was 143, of all ranks.

Of this number, nine only have died. One hundred and seventeen have been discharged from hospital, and allowed one month's furlough to recruit their strength; and twenty-six are still in ward, and, but with two exceptions, are nearly well. During the time that Nasora has been converted into an hospital, any and every native who desired has been allowed to enter the building and receive medical attendance and careful nursing.

As the native population has conceived an idea that the sickness was introduced for the special purpose of carrying them off, very few have availed of the offer. Many of the sick appear to consider that their only chance of recovery depends upon their not being forced to take European medicines.

They take native medicines and crude and ill-cooked food, become weak and

offensive to their stronger friends, who almost leave them to die of starvation. The impression that sickness has been introduced by the whites with a most sinister object does not obtain among the higher and intelligent Chiefs, and most likely will leave the lower orders with the disappearance of the disease.

Medicine and food have been sent to all the people who would accept it, and Dr. Harwood has been engaged to assist the Chief Medical Officer in the native towns of Levuka. Full supplies have also been sent to Bau, which is, as usual, rather crowded. The French Missionaries have been attending their proselytes at Draiba and elsewhere, and Government aid in the shape of food and medicine has been offered to them. Thus everything has been done in this island, in accordance with your Honour's directions, that could be done for people so peculiarly constituted and situated as the Fijians. But it is not to be denied that the great majority of the native population is practically beyond our help.

The disease is already reported in our furthest limits east and west, and the mountaineers of central Viti Levu have also got it among them. People talk of "isolation." They might as well talk of setting a barricade against the east wind.

The natives of Fiji have never known an epidemic before; they laughed at medical counsels and ridiculed the idea of unknown dangers.

They are men and women in stature, but children in mind.

The best advice may be given to them, but they will try to allay fever by lying in a mountain stream, or by reclining in the full draught of an open doorway.

To prevent things of this sort it would be necessary to appoint a nurse to every patient.

The slight mortality at Nasova, and the medical necessities and comforts dispensed by Government to those who can be reached and who can make use of them, sufficiently controverts the assertion current among a certain class here that the natives have been unattended to. Of the nine who died at Nasova, five at least died by their wilful evasion of orders.

The Colonial Secretary, in view of public opinion as expressed in the local press, thinks it worthy of note that during frequent daily visits along the coast, and occasionally at night, he never, with the exception of the Catholic Priest, met a single European among the sick, nor heard on inquiry that one had been among them.

March 1, 1875.

(Signed) JOHN B. THURSTON,
Colonial Secretary.

No. 17.

Sir Hercules Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received May 10.)

My Lord,

Government House, Sydney, March 18, 1875.

I HAVE the honour to forward to your Lordship a copy of a despatch which I have received from Mr. Layard respecting the number of time-expired Polynesian labourers who will have to be returned to their homes before the close of the present year.

2. I also inclose a copy of my reply.

I have, &c.
(Signed) HERCULES ROBINSON.

Inclosure 1 in No. 17.

Sir,

Government House, Fiji, February 12, 1875.

I HAVE the honour to inform you that, in accordance with the instructions issued by the Commodore commanding on the station, notified to me by Captain Chapman of Her Majesty's ship "Dido," that vessel conveyed away from here on the 7th instant 101 Polynesian labourers to be returned to their homes in the New Hebrides.

2. Full details will be furnished to your Excellency in a future despatch of the places to which they went, the names of their employers, whether any sums were paid on their account, &c. At present I have simply to request that you will be kind enough to convey our best thanks to Commodore Goodenough for his timely assistance.

3. I now beg to inclose, for your Excellency's information, a letter I have just received from the Immigration Agent respecting the men still left on our hands whose

time is expired, amounting to about 1,000, and whom we are under a certain promise to return to their homes in April and May.

4. Besides these, there are the men whose time will expire this year, amounting to about 1,227.*

5. The Immigration Agent furnishes a list of the vessels in the labour trade during the past year, which, with the exception of two, will not run again. I see no other cause, therefore, but to request your Excellency to endeavour, by advertisement or otherwise in Sydney, to induce vessels to come for the express purpose of returning the men. If this cannot be done, a vessel must be specially chartered, and the expense will be very heavy.

6. In consequence of the loose manner in which Mr. March drew up the labour Agreements I fear it will be impossible to make the employers pay this except under the Proclamation just issued by your Excellency, but doubts are expressed here whether that can have a retrospective effect and touch the very cases that are the most pressing.

I have, &c.

(Signed) E. L. LAYARD, *Administrator.*

His Excellency Sir Hercules Robinson, K.C.M.G.,

&c.

&c.

&c.

Inclosure 2 in No. 17.

Sir,

Government House, Sydney, March 16, 1875.

I HAVE to acknowledge the receipt of your despatch of the 12th, which I have communicated to Commodore Goodenough for his information.

2. As your later despatches have informed me of the severe attack of measles which is prevalent in Fiji in an epidemic form, and as you allude also to the desirability of taking all possible precautions for preventing the extension of the disease to the labour islands, I shall delay advertising here for vessels to carry return labourers to their homes until I hear further from you on the subject.

3. I am unable to appreciate the difficulty to which you advert in the concluding sentence of your despatch. The settlement of claims to land is in the hands of Her Majesty's Government, and it is competent for that authority in any equitable adjustment of such matters to direct that advances for labour and back passages shall in all cases be a first charge upon the land.

I have, &c.

(Signed) HERCULES ROBINSON.

The Honourable E. L. Layard,

&c.

&c.

&c.

Inclosure 3 in No. 17.

Sir,

Immigration Office, Tologa, February 11, 1875.

I BEG to call your attention to the prospective difficulty which will ensue from the small quantity of shipping on which we can rely to be at our disposal in April next for the purpose of returning to their homes those Polynesians now in the group whose term of service has expired.

You are aware that while filling the position of Her Britannic Majesty's Consul previous to annexation, a large number of time-expired Polynesians, who were becoming discontented at their protracted detention in Fiji, were induced to remain quiet, or accept short engagements, on the distinct understanding and promise that they should be sent home after the "hurricane months," in which difficulty I had the honour of co-operating with you in my position as Comptroller-General of labour under the then existing Government.

These men, trusting in our promise, have hitherto remained quiet and orderly, but as April is now approaching, they will look for that promise being fulfilled, and it will be both difficult and dangerous to detain these Polynesians much longer.

* N. Hebrides ..	00	000	000	00	000	000	783
Solomon Isles..	00	00	00	00	00	00	48
Line ..	00	00	00	00	00	00	396
Total ..	00	00	000	00	00	00	1,227

In some few cases the labourers are in a state of open mutiny, refusing to work any more, and are utterly beyond the control of their employers, and, although no act of outrage, beyond thieving on the plantations on which they have been employed, and those in their immediate neighbourhood, have as yet occurred, their well-known disregard of human life may at any moment lead to a more serious result.

I herewith subjoin a list of the vessels employed in returning labour in 1874, with the names of those vessels withdrawn from the trade from the causes assigned, which will illustrate at once our utter inability to return these islanders to their homes, if relying solely on our own resources.

As I mentioned in a former communication which I had the honour to address to you on this subject, the number of Polynesians now in the group whose return is due, is about 1,000, but if outside means could be provided to convey, say 600, during the months of April and May next, the remaining portion might be disposed of by our own local vessels.

I trust that you will give this matter the attention it deserves, as while it is very far from my desire to create unnecessary alarm, yet I do think that outrage, and, perhaps, loss of life, may ensue, unless energetic action is taken to redeem the promise made to these men by sending them home.

I will not further trespass on your time by offering any suggestions as to the mode by which this much desired object can be accomplished, but confidently leave the matter in your hands for such action as you may deem advisable.

I have, &c.

(Signed) HENRY BENTLEY,
Immigration Agent.

LIST of Vessels which were employed returning Polynesians in 1874:—

"Planet." Wrecked.	"Loelia." Sold and withdrawn.
"Emma." Will only return owner's labour.	"Ringdove." Sold.
"Bruce." Withdrawn and sold.	"Marion Rennie."
"Hallie Jackson." Wrecked.	"Daphne."
"Mary Eliza." Withdrawn.	"Tui Tavuki." Uncertain.

His Honour the Administrator of the Government
of the Colony of Fiji.

No. 18.

Colonial Office to Admiralty.

Sir,

Downing Street, May 20, 1875.

I AM directed by the Earl of Carnarvon to transmit to you, to be laid before the Lords Commissioners of the Admiralty, copies of three despatches* received through the Governor of New South Wales from the officer administering the Government of Fiji, reporting the outbreak of measles in an epidemic form in those islands.

Lord Carnarvon desires me to state that he regards it as most unfortunate that Dr. Goodman, of Her Majesty's ship "Dido," should not have warned the local authorities that there was danger of this disease spreading, nor can his Lordship withhold the expression of his opinion that, assuming, as he has no doubt is the case, that the statement of the facts received is correct, the conduct of Dr. Goodman in this respect was careless and reprehensible.

It is for the Lords Commissioners of the Admiralty to decide in what manner notice should be taken of it.

I am, &c.

(Signed) W. R. MALCOLM.

No. 19.

The Polynesia Company to the Earl of Carnarvon—(Received May 25.)

May it please your Lordship, 58, Temple Court, Melbourne, January 28. 1875.

BY order of the Board of Directors of "The Polynesia Company, Limited," we the Undersigned, have the honour to address your Lordship on behalf of the Company.

* See No 15.

On the 3rd of December last, a Memorial was transmitted to your Lordship setting forth the claims of the Company, and praying that your Lordship would be pleased to order the delivery to the Company of the 110,000 acres of land still due, and the payment by the new Colony of Fiji of at least 25,000*l.* for the banking and other privileges, together with exemption for ever from taxation contained in the Charter from the King and Chiefs to the Company.

The unceasing importunities of the holders of land warrants, embolden the Directors again to make an appeal to your Lordship, and to express the hope your Lordship will be pleased to take the just claims of the Company into your favourable consideration, and to order that the land be handed over by the proper authorities in the new Colony without delay, to enable the Directors to meet the pressing demands of the land-warrant holders, numbers of whom are desirous of settling in Fiji.

When the timely service rendered by the Company and the obligations of the Charter are considered, the Directors venture to hope your Lordship will be pleased to view the sum named to be taken in lieu of the "privileges" as very reasonable, and one that ought, under the circumstances, to be honourably met by the new Colony.

Trusting your Lordship will be pleased to take the just claims of the Company into your favourable consideration, and order that they be dealt with at the earliest possible date, We have, &c.

(Signed)

ALEX. KENNEDY SMITH, *Chairman*,
GEO. T. WYLEIGH, *Manager*.

No. 20.

The Earl of Carnarvon to Governor the Hon. Sir A. H. Gordon, K.C.M.G.

Sir, *Downing Street, May 28, 1875.*

I HAVE the honour to acknowledge the receipt of Sir H. Robinson's despatch of the 18th of March last,* inclosing a copy of a correspondence between Mr. Layard and himself on the subject of the return of time-expired Polynesian labourers.

I approve of Sir H. Robinson's decision to delay taking the proposed steps for obtaining vessels to return labourers to their native islands during the prevalence of the measles in Fiji.

I have, &c.

(Signed) CARNARVON.

No. 21.

The Earl of Carnarvon to Governor Sir A. H. Gordon, K.C.M.G.

Sir, *Downing Street, May 28, 1875.*

I HAVE perused with much interest Sir Hercules Robinson's despatch of the 17th of March,† with its inclosures, containing a detailed account of the interview between Mr. Layard and the Chiefs of the Kai Colos of Viti Levu.

I notice with satisfaction the good services rendered by Mr. Thurston on this and several recent occasions.

I have, &c.

(Signed) CARNARVON.

No. 22.

The Earl of Carnarvon to Governor Sir A. H. Gordon, K.C.M.G.

Sir, *Downing Street, May 28, 1875.*

I HAVE the honour to inform you that Her Majesty has been pleased, on my recommendation, to give directions for the appointment of Captain James Graham Goodenough, R.N., Commodore commanding Her Majesty's naval forces on the Australian station, and Edgar Leopold Layard, Esq. (the British Consul at Fiji), to be Companions of the Order of St. Michael and St. George for their services in connection with the annexation of the Fiji Islands to the British dominions.

I have, &c.

(Signed) CARNARVON.

* No. 17.

† No. 15.

No. 23.

Admiralty to Colonial Office.

Sir,

Admiralty, June 5, 1875.

I HAVE received and laid before my Lords Commissioners of the Admiralty your letters of the 20th* and the 31st ultimo,† respecting the outbreak of measles in the Fiji Islands and Norfolk Island, consequent upon the visit of Her Majesty's ship "Dido," and the alleged conduct of Staff-Surgeon Goodman in not recommending proper precautions to be taken to prevent the spread of the disease.

In reply, I am to request that you will inform the Earl of Carnarvon that copies of these letters and their inclosures have been sent to Commodore Goodenough with directions for him to cause a full inquiry to be made.

I am, &c.

(Signed) ROBERT HALL.

No. 24.

Colonial Office to Treasury.

Sir,

Downing Street, June 9, 1875.

WITH reference to the letters from this Department on the subject of the grant of Imperial assistance in aid of the revenues of Fiji,‡ I am directed by the Earl of Carnarvon to request that you will lay before the Lords Commissioners of the Treasury the accompanying copies of telegrams from Sir A. Gordon and Sir H. Robinson,† and to state that he will be glad to receive, as early as possible, an intimation of what it is proposed to do, as regards financial assistance in aid of Fiji, as it will be necessary to communicate immediately by telegraph with the Government of the Colony.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 25.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received June 11.)

(Telegraphic.)

Sydney, June 9, 1875.

TILL a few days ago, had no news whatever from Fiji, for nearly three months. Still without official details of effect of measles, but from private information just received, estimate loss at from one-fifth to one-fourth of population; say 25,000 persons. Officials seem to have done all in their power, but mortality increased by inattention to European medical injunctions and weather, which was unusually unfavourable. From last account disease almost died out. Gordon goes on in few days, only waiting answer to telegram of yesterday.

No. 26.

The Earl of Carnarvon to Governor the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, June 11, 1875.

WITH reference to a letter from this Department of the 26th January,§ I have the honour to transmit to you, for your consideration, a copy of a further letter which has been addressed to me on behalf of a Company styled the "Polynesia Company, Limited."||

Although I desire that every claim that is founded on reason and justice should be favourably considered, I am no less anxious that every application which is put forward should be subjected to the most searching inquiry, and that where, as in the present case, large tracts of land and extensive privileges are claimed by virtue of grants purporting to have been made by native chiefs, it must be clearly shown that the chiefs had full power to dispose of the land and grant the privileges claimed, and that the consideration given was such as, having regard to the present political and commercial

* No. 18.

† Not printed.

‡ Nos. 5 and 14.

§ No. 4.

|| No. 19.

prospects of Fiji, would not make the grant of the lands and privileges in return for it an extravagant and improvident bargain in the interests of the Colony.

You will, of course, in dealing with this matter, pay special attention to the opinion expressed by Sir H. Robinson as to the manner in which the claims of this Company should be dealt with.

I have, &c.
(Signed) CARNARVON.

No. 27.

Colonial Office to Messrs. Smith and Wyleigh.

Gentlemen,

Downing Street, June 11, 1875.

I AM directed by the Earl of Carnarvon to state that he has received, through the Agent-General for Victoria, the letter which you addressed to his Lordship on the 28th of January* on behalf of a Company styled "The Polynesia Company, Limited," and that he has referred this as well as the previous memorial on the subject for the consideration of Sir Arthur Gordon.

I am desired to take this opportunity of stating that all claims such as this must be preferred in Fiji, and that Lord Carnarvon cannot entertain any applications made to him direct by persons alleging that they have any right or title to land in the Colony, or to other privileges purporting to have been acquired before the cession of Fiji to the Crown.

I am further to request that it may be distinctly understood that, in making this reply to your letter, Lord Carnarvon does not admit, on the part either of Her Majesty's Government or of the Government of Fiji, the validity of any claim made or to be made by the Polynesia Company.

I have, &c.
(Signed) ROBERT G. W. HERBERT.

No. 28.

Governor the Hon. Sir A. H. Gordon, K.C.M.G., to the Earl of Carnarvon.—(Received June 12.)

(Telegraphic.)

Sydney, June 12, 1875, 4:40 P.M.

HAVE to-day seen yesterday's telegram and Robinson's reply. I think his opinion as to dying out of disease too sanguine. On arrival here, resolved to send on medical officers at once to Fiji; also purchased stock of medicines. They have gone in "Barracouta."

No. 29.

The Earl of Carnarvon to Governor the Hon. Sir A. H. Gordon, K.C.M.G.

Sir,

Downing Street, June 12, 1875.

I LOST no time in communicating to the Lords Commissioners of the Admiralty the distressing intelligence contained in Sir H. Robinson's despatch of the 17th of March,† respecting the outbreak of measles in Fiji, and the apparent neglect of Dr. Goodman, of Her Majesty's ship "Dido," in not warning the local authorities of the danger of the disease spreading; and I have been informed by their Lordships that they have instructed Commodore Goodenough to cause a full inquiry to be made as to the origin of this calamity.

I have, &c.
(Signed) CARNARVON.

No. 30.

Treasury to Colonial Office.

Sir,

Treasury Chambers, June 12, 1875.

WITH reference to Mr. Herbert's letter of the 9th instant,‡ and previous letters, on the subject of the assistance to be granted from Imperial revenues to the Colonial

* No. 19.

† No. 16.

‡ No. 24.

Government of the Fiji Islands, in aid of the expenditure in that Colony, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Secretary of State, that my Lords will be prepared to submit a grant of 40,000*l.* in the present Session of Parliament; and a further grant, not exceeding 60,000*l.*, in the Session of 1876-77, in lieu of the loan which the Secretary of State proposes.

I am to state that my Lords will be glad to learn if this arrangement will meet the views of the Secretary of State.

I am, &c.
(Signed) W. H. SMITH.

No. 31.

Colonial Office to Treasury.

Sir, *Downing Street, June 18, 1875.*
I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 12th instant,* stating that the Lords Commissioners of the Treasury will be prepared to submit to Parliament a vote of 40,000*l.*, and in the next Session a further vote of 60,000*l.*, in aid of the local revenue of Fiji.

2. This arrangement is perfectly satisfactory to Lord Carnarvon, and he will cause an estimate to be prepared and furnished to the Treasury.

3. In the letter from this Department of the 25th February,† the sum of 150,000*l.* was mentioned as the amount which, with the information then before him, his Lordship anticipated would have to be provided, and, owing to the late disastrous outbreak of measles in the Colony, it is possible that still further financial assistance may become necessary. Lord Carnarvon, however, proposes to instruct the Governor to practise the strictest economy, and he trusts that the sums now promised by their Lordships will be found sufficient, with the aid of an issue of unguaranteed debentures, which his Lordship would not propose to offer to the public, but to hand to persons establishing valid claims against the former Government of Fiji.

4. Lord Carnarvon fully understands that repayment of these sums will be expected from the Colony in the event of the local finances admitting hereafter of such a course, but, with the very limited knowledge which as yet he possesses of the resources and requirements of the new Colony, he is, of course, unable to express any confident opinion on the subject.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 32.

The Earl of Carnarvon to Governor Sir A. H. Gordon, K.C.M.G.

Sir, *Downing Street, June 29, 1875.*
WITH reference to the telegrams which have passed between yourself and this Department, respecting the financial assistance to be given from Imperial funds in aid of the revenues of Fiji, I have the honour to transmit to you, for your information, the accompanying copies of a correspondence between this Office and the Treasury, which will place you in possession of the intentions of Her Majesty's Government as regards the manner in which it is proposed that the assistance should be granted.‡

2. From this correspondence you will perceive that in my original communication I left it for the decision of the Lords Commissioners of the Treasury what form the financial aid to be given should take, intimating, however, that in my opinion the guarantee of a loan would be less objectionable than in an ordinary case.

3. After much consideration, however, of the whole question, Her Majesty's Government came to the conclusion that it would be preferable to make a grant of money, to be spread over two years, and to be repayable whenever the condition of the Colonial revenues may render repayment practicable. You will, accordingly, have at your command during the present year the sum of 40,000*l.*, and of this sum I trust that but a small proportion will be required for the current disbursements of the Government after the loan raised by you in Sydney has been repaid. I am, of course,

* No. 30.

† No. 5.

‡ Nos. 5, 30, and 31.

very desirous that the grant or advance to be received from the Imperial Government shall be kept within the narrowest possible bounds.

4. After further consideration, therefore, of the financial condition of the Colony, I am disposed to think that the claims of the holders of debentures, in so far as they may be satisfactorily established, should be met by the issue of debentures bearing the guarantee of the Colonial Government only, and at a low rate of interest, say 4 or possibly $4\frac{1}{2}$ per cent. As the prospect of receiving either principal or interest, in the event of Her Majesty's Government not concerning itself with the affairs of the Islands, would have been very remote, if not hopeless, and the acknowledgment of these obligations is purely an act of grace on the part of Her Majesty's Government, I think such an arrangement as this will be reasonable. But I request you not only to make no payments, without my previous sanction, on account of any claims against former Governments of Fiji, but to refrain from giving any pledges as to the course that may be adopted with regard to such claims.

5. You will, no doubt, cause the necessary inquiries into the liabilities of former Governments to be commenced as soon as possible, and all claims closely scrutinized.

I have, &c.

(Signed) CARNARVON.

No. 33.

Governor Sir H. Robinson, G.C.M.G., to the Earl of Carnarvon.—(Received August 3.)

My Lord,

Government House, Sydney, June 3, 1875.

I HAVE the honour to report that Sir Arthur Gordon arrived here on the 25th ultimo, and that I at once transferred to him the Administration of the Government of Fiji.

2. I have handed over to him all the records and other official papers connected with that Colony which were in my possession, including the manuscript Minutes of the Chiefs offering to cede Fiji, and the original manuscript Instrument of Cession, which last I had been directed by your telegram of 12th November, 1874, to retain for the present.

3. Since Sir Arthur Gordon's arrival I have received from Mr. Layard a number of despatches connected with the transaction of the ordinary official business of Fiji extending over a period from the commencement of March to the middle of May. I have, at Sir Arthur Gordon's desire, handed over all these papers to him to be dealt with, and he will no doubt communicate to your Lordship copies of such of them as he may think requisite.

4. Mr. Layard's official despatches do not contain information as to the probable extent of the mortality amongst the natives from the measles, but in a private letter to me, dated 7th May, he observes: "The losses by the measles will, I estimate, come near 10,000 souls. Some say one-third of the population, but I do not think so. In some places it has died out, in others it is just beginning. It stops everything. Of course I dare not send away any Polynesians, so the poor fellows are again detained! I fear the 'Dido' took it to Mallicolo Island, where she landed forty men. The 'Daphne' brings word that, in calling there she heard a 'big steam-ship with three masts had landed plenty men; these men get plenty sick; now plenty men die.' They saw none but a few women about, and could hardly get any yams, which they wanted. I fear this looks like the introduction of the disease."

5. Dr. Cruickshank, the medical officer of the Provisional Government, in writing to a friend here under date 6th May, observes: "The disease has passed through this island and the greater number of the others, but on some plantations where they have been trying to isolate their labour it is only getting amongst them. It has been very fatal amongst the Fijians, and I don't think less than one-fifth of the population will die, chiefly owing to the terribly bad weather we had in the group when the disease was at its height. I had between 140 and 150 cases at Nasora, and lost 9, but then we had them well under control."

6. Mr. Thurston, in writing unofficially to my private secretary, under date 12th May, remarks: "The measles are dying out, thank heaven. I do not think the sickness will give rise to any interruption of the late good will between Government and natives. I wish I could go up to the interior and see the people, but with Mr. Horton constantly laid up with chronic dysentery I cannot stir. Some people here conjure up apprehensions, but there are no grounds to apprehend anything unpleasant."

* * * * *

The Revenue was very low last quarter, but is looking up a little now; in fact, the last three months were the most miserable I ever passed in the country."

7. I observe from Mr. Layard's despatches that the Revenue for the quarter ended 31st March last amounted to 3,031*l.*, and the expenditure to 4,408*l.*, being an excess of expenditure over Revenue for the quarter of 1,377*l.* The total Revenue from 10th October, 1874 (the date of Cession), to 31st March, 1875, amounted to 7,293*l.*, and the expenditure to 8,126*l.*, leaving a deficiency on the first half-year of only 833*l.* If it had not been for the interruption to trade and business of all kinds caused by the measles, the Revenue would, I think, have come up to my estimate, or would at all events have been considerably in excess of the provisional expenditure.

8. Sir Arthur Gordon has found himself in want of funds to make advances while here to the staff by whom he is accompanied, and at my request the Government of this Colony at once obligingly placed at his disposal the sum of 800*l.*, which he required for the purpose specified, the amount to be repaid at the convenience of the new Colony.

9. Sir Arthur Gordon is despatching his staff to Fiji in the "Barracouta" on the 8th instant, and proposes to start himself a few days later with Commodore Goodenough in Her Majesty's ship "Pearl."

I have, &c.

(Signed) HERCULES ROBINSON.

Inclosure in No. 33.

Schedule of Papers handed to his Excellency the Hon. Sir A. H. Gordon, K.C.M.G., by his Excellency Sir H. Robinson, G.C.M.G.

1. RESOLUTION of Thakombau and Chiefs at Levuka to cede Fiji (in original).
2. Instrument of Cession, with translation (original manuscript).
3. Book of despatches from Sir Hercules Robinson to Secretary of State, containing 84 despatches, as follows:—

Sixty-six numbered despatches, viz., from 1 to 36, in 1874, and from 1 to 30 in 1875.

Thirteen confidential despatches, viz., 1 dated October 31, 1 dated November 1, 3 dated November 4, 1 dated November 7, 1 dated November 8, 1 dated November 12, and 1 dated November 20, 1874; 1 dated January 1, 1 dated March 22, and 1 dated March 25, 1875.

Five acknowledgments, viz., 1 dated February 10, 1 dated March 11, 1 dated March 16, 1 dated April 6, 1 dated May 3, 1875; 84 despatches in all.

4. Despatches (original) from Secretary of State to Sir Hercules Robinson, viz.:—

Twenty-six numbered despatches, as follows, from No. 1, of December 10, 1874, to No. 26, of March 25, 1875.

Three confidential despatches—1 dated December 26, 1874; 1 dated January 2, and 1 dated January 15, 1875.

Two acknowledgments, viz., 1 dated February 24, and 1 dated March 11, 1875; 31 despatches in all.

5. Despatches (original) from Mr. Layard to Sir Hercules Robinson, viz.:—

1 to 23 in 1874, and 1 to 47 in 1875.

Eleven acknowledgments—2 dated January 21, 1 dated January 27, 2 dated February 17, 1 dated March 2, 2 dated March 30, 1 dated May 6, and 2 dated May 12, 1875; 81 despatches in all.

6. Miscellaneous correspondence.

7. Cheque Book, Pass Book. Oriental Bank Corporation. Fiji Government Account.

(Signed)

WALTER HELY HUTCHINSON,
Private Secretary.

No. 34.

Governor the Hon. Sir A. H. Gordon, K.C.M.G., to the Earl of Carnarvon.—(Received August 3.)

My Lord,

Sydney, June 4, 1875.

YOUR Lordship will have learnt with regret from Sir H. Robinson's despatch of the 17th March* how serious have been the consequences of the introduction of measles into the Island of Ovalau, from which it has spread to the other islands of the Fiji group.

2. Mr. Layard's report forwarded in the despatch above referred to was received here on the 16th of March. No further letters were received from Fiji for a period of nearly two months; and on my arrival here, on the 24th May, I found great uncertainty and apprehension prevailing on this subject.

3. Although the despatches received from Mr. Layard on the† refer incidentally to the disease, there is, strange to say, no report on its progress, or on the mortality with which it has been attended. The accounts given in private letters naturally vary according to the locality from which they are written.

4. Roughly speaking, the mortality seems to be estimated at from a fifth to a third of the entire native population.

5. The head of the police, Mr. Olive, has been doing, according to all accounts, excellent service.

6. I have ordered the purchase here of a small stock of medicines, which will be conveyed to Fiji in Her Majesty's ship "Barracouta," with Doctors Macgregor and Mayo.

I have, &c.
(Signed) A. GORDON.

No. 35.

Governor the Hon. Sir A. H. Gordon, K.C.M.G., to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Government House, Sydney, June 10, 1875.

IN my despatch of the 4th instant‡ I mentioned that no official report of the measles in Fiji had been received from Mr. Layard by the last mail from Levuka.

In the absence of such report, the inclosed extracts from private letters, written by missionaries, planters, and others in Fiji, may possibly be of interest to your Lordship.

I have, &c.
(Signed) A. GORDON.

Inclosure 1 in No. 35.

The Rev. J. Waterhouse to the Rev. B. Chapman (Secretary to the Wesleyan Missionary Society.)

(Extract.)

Navuloa, March 8, 1875.

I AM sorry to have to inform you that, since I wrote to you respecting the measles, the disorder has become virulent, and has carried off a great number of natives, principally adults. The visitation has been more like that of cholera, or plague, than that of measles, as you understand that complaint.

So soon as the first case made its appearance at the Institution, I gave a lecture on the disease and its treatment, and then we set to work to prepare for our dreaded visitor. Between twenty and thirty of the boys were sent home to Bau, to make more houseroom for the students proper. Then we prepared a quantity of tapioca for all hands, erected necessary outhouses in connection with every dwelling, sent in all directions to purchase medicine, medical comforts, and food. Nor had we been too prompt, for soon we had very dangerous cases, which, but for the preparations, would, I fear, have ended fatally. I visited every case once or twice a-day, and, by God's blessing, have only lost one patient. . . .

So soon as I could leave home, I went to Bau to see the sick folks there ; and was grieved to find that the natives were pursuing a wrong treatment. The native ministers Joel Bulu and Stephen Naicola were dangerously ill. The latter was in a very small, close room, without window, and only a very small door, which was kept sacredly closed.

In many of the towns I have been reminded of the plague in London. The people have been seized with fear, and have abandoned their sick. Whole families have been taken ill, and have been left without help. Yesterday was a very wet day, but, as Wesley was supposed to be dying, I paid him a visit. We were two hours in the boat before we arrived at his house. Entering, I found him apparently dead ; his wife and four or five children all ill, lying down to die or recover, and the family completely deserted. I found him able to whisper, "The land is panic stricken. Wife forsakes the afflicted husband. The healthy congregate together ; the sick are left to themselves. A woman living with us died yesterday, and her body is buried, but we are forsaken." After giving him medicine, I set to work to make some soup, and then we had a short service.

After I had attended to them all, I went to another town, but found it quite empty. All had fled, except one couple, who kindly asked me in. . . . I went back through torrents of rain to Wesley ; he was worse. I gave him some soup, and tried to borrow some brandy to give with it, but could not. . . . Leaving two of our recovered men to nurse the sick, according to directions, I returned home quite knocked up with the bad air I had been breathing, hoping, but wondering whether Wesley will recover.

On arrival at home, I found a message from another native minister, Aquila, who is very ill, and would like to come here to die.

You should know that communication with other places is almost at an end. People are either ill or expecting to be ill, and so we cannot get messengers. At Bau there have been deaths almost every day. One day last week six who had died at Bau were buried.

Now we are short of food ; and, unless we can buy soon, I fear that we shall have to break up the establishment when the sickness is at an end.

The ex-King has lost by this affliction a son and a daughter (the latter leaving five children), a brother, and his faithful Tongan Peter, besides many personal friends. He and his wife are getting better.

Inclosure 2 in No. 35.

The Rev. A. J. Webb to the Rev. B. Chapman.

(Extract.)

Bau, April 1, 1875.

A CALAMITY of the most serious kind has swept down upon this beautiful group of islands, and its ravages will have to be computed not by hundreds, but by thousands. We are having the same disease down here that has been prevalent in the Colonies ; but the mortality is heightened by the habits, the ignorance, and the lack of aid which is ever to be found in a large native population.

By most remarkable fatuity persons sick of measles were allowed to descend from the "Dido" and land the dire disease upon the shore of their country, and remarkably free intercourse took place between the King's family and their compatriots from different parts of Fiji. Ere long the people lay down in masses, and a most extraordinary scene was presented of whole towns with the houses closed, the lanes and squares silent as death, and the inhabitants all down. Old men and infants, young men, and mothers of families, one heap of illness. On Bau it seemed as though the curse that alighted on Sennacherib's army was repeated, and there was a weird quiet about the place that struck very peculiarly upon one's feelings. Daily the canoes were to be seen carrying the dead to their breezy resting places on the opposite shore, and day and night was the death drum beating, and the wails of the mourners rose on the air. Strong winds and heavy rains added to the horrors of the situation ; and the Bauans almost starved for food, the people being unable to get to the mainland where their gardens were. All our servants were laid up, and we had to nurse them for weeks with food and medicine. My wife was weak, and nursing and other work fell on me, there not being another soul to do it. Hard worked in the day, and broken rest at night, I passed through some weeks the like of which I hope never to see again. In our own land there is always a large proportion of healthy persons who act as a relief

to the many stricken by prevailing disease; but here you have a whole country down, men, women, and children all round you dying every day. Your best friends among the people dying, and those you have taken the greatest pains with. Two, both fine young preachers, have died on my own premises; and so fetid did they make the houses they died in that I have had to destroy the walls to let the trade-wind purify the air. . . . Two of our children have had the measles, and are not quite recovered yet. Reports still come in from different parts of Fiji; and at Rewa the workings of the disease and its accompaniments are simply horrible. It is to be feared that the frightfully impure state of some of the villages may engender typhus fever, and that would sweep off numbers that measles and dysentery have spared. The imported labour are dying on the plantations, the occupations of the planters are seriously interfered with by disease, and, in fact, Fiji has received a most serious wound through the introduction of this disease, and a partial paralysis must occur in all commercial operations and in inter-island navigation.

Inclosure 3 in No. 35.

The Rev. A. J. Webb to the Rev. B. Chapman.

(Extract.)

Bau, April 9, 1875.

SINCE my last letter to you I have seized the first opportunity which presented itself and visited Rewa. The place looked awful as we reached it, so death-like was the stillness and so few living beings were to be seen. Through slush and long wet grass we made our way to some of the houses and visited our afflicted friends; at last, wet through, cold, and sickened, we retired to the native Minister's house, and passed an ever-to-be-remembered night with the mosquitoes, which are the "habitués" of the place.

Erone, the native Minister there, had been very ill, with all his family, and everybody else being ill too, he was left without help, when the Lord put into the heart of a white woman to give them the kindest attention in their trying circumstances.

Next morning I made some more visits; there has been a great mortality here, and some sad cases have occurred. What annoyed me exceedingly was that numbers of teachers have fled from the towns and villages they were in charge of, and run like sheep into other places, where the measles overtook them nevertheless.

Roko Tui Dakrati, the Chief of Rewa, told me that both the teachers in the town he is staying at, Nambua, had deserted them and gone.

Inclosure 4 in No. 35.

Mr. A. Barrack to Mr. J. Campbell.

(Extract.)

Savu Savu Bay, April 20, 1875.

THE pearl shell trade has stopped again since the measles came in the district.

With respect to the above, I am sorry to say that the country is in a deplorable state; I hardly know how to describe it to you. The greatest trouble is to get the dead buried.

The whites have done all they can in their several neighbourhoods, and, in most cases, got them over the measles; but a malignant type of dysentery follows, and they get unmanageable in most cases, and the result is death.

They likewise seem quite indifferent about one another; and unless some white person is near, neglect the sick, and sit and look at them dying for want of a drink or a bit of food. It is a sad tale, and I don't know who is responsible.

The whites, too, have had their trouble with sickness, and many have been carried off. We have to be very thankful, for, although Mrs. Barrack has been daily amongst the sick, none of our family have been ill as yet. Neither has any of our Tanna men; but we can hardly expect to escape altogether.

Whatever medicines we have had, privately or in the store, Mrs. Barrack has used freely; she made up over 500 dysentery pills in one week. I was quite certain that, in a terrible calamity like this, you would approve of giving what we had to save life.

I am quite certain we will lose 25 per cent. of the population; some people go far enough to say, if this goes on much longer, it will be even 50 per cent. When will the country recover from this?

Inclosure 5 in No. 35.

The Rev. J. Rooney to the Rev. B. Chapman.

(Extract.)

Loma Loma, May 3, 1875.

YOU have doubtless heard ere this of the introduction of measles into Fiji, and the ravages they are committing. About 300 have already died on this island; 75 in the village of Loma Loma alone. We have lost several teachers, and a great number of local preachers and class leaders. Joel Keteca, the native minister, died at Kabora, after a fortnight's illness.

Our native helpers, together with the students in the Circuit Institution, were all down at the same time,—so I had my hands full. Two students died; the others are getting round slowly. I have dispensed at least 6*l.* worth of medicine during the last few weeks; but the worst I think is now over.

Inclosure 6 in No. 35.

Père Breheret, Prefet Apostolique, Fiji, to the Rev. C. M. Joly, S.M.

LA rougeole apportée de Sydney par Thakombau va nous enlever au moins 20,000 âmes, avec autant de corps, 700 environ à Ovalau parmi les naturels.

Le frère Edouard vient mourir de la rougeole.

Inclosure 7 in No. 35.

Extracts from the "Fiji Times."

April 21, 1875.

WE learn from Moala that the natives are suffering in an equal proportion to those elsewhere, and, as far as can be ascertained, about eighty have succumbed to the epidemic. In the small town of Katira twenty-six were conveyed to the cemetery in less than forty-eight hours after they were attacked by the plague. At Totoya and Matuka the sickness has scarcely had time to develop itself, and, as fine weather has set in throughout the group, we hope many districts may yet be spared from the severity of the scourge.

* * * * *

A gentleman recently from Koro informs us that from 400 to 500 natives have died upon that island; this seems very large, but away from medical aid or European restraint, what can be expected but that great mortality must occur?

May 1, 1875.

Although we are happy to state that the measles have now almost, if not entirely, died out on the Island of Ovalau, we are constantly in receipt of news of its terrible ravages in the surrounding islands; and while it is difficult to arrive at an estimate of the number of deaths, we cannot believe that it will be found to be less than one-third of our entire population when the angel of death has ceased to hover over us. As may be easily imagined, many of the details of the progress of the disease in the native towns are very sickening; in many cases the pest-stricken natives, being entirely neglected by their relations and friends, either through inability to assist, in consequence of whole families being stricken at the same time, or through fear of catching the dysentery, which in nine cases out of ten sets in after the measles have left the patient. We have heard of many cases of measles having been followed by dysentery, and after the patient has recovered, and rejoicing thereat, he cannot resist the temptation to have a bathe or otherwise expose himself, when a relapse sets in, which is almost always rapid and fatal. And strange to say, although fully warned of

what will follow, the natives will persist in thus making away with themselves, for we can call it nothing else. Out of a population of 300 at Na Korovou, at the south end of Taviuni, 75 have died up to the date our informant left; and on the east side of Viti Levu, commencing at Namalata, to the small island of Qama, a distance of some twenty miles along the coast, 180 have succumbed.

No. 36.

Governor the Hon. Sir A. H. Gordon, K.C.M.G., to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Government House, Sydney, June 10, 1875.

I WAS in hopes that I might possibly, before the closing of the mail to-day, receive a reply to my telegram of the 8th instant. I have, therefore, deferred, till the last possible moment, before writing to inform your Lordship of the provisional arrangements which I have made, with a view to meeting immediate financial difficulties. I must now necessarily be brief.

2. The prevailing epidemic has very greatly reduced the revenue receipts in Fiji, and on my arrival there, I anticipate that I shall at once be called upon to make disbursements (salaries, payment of passages of public officers from Sydney to Fiji, return passages of labourers, &c., &c.) exceeding by about 3,000*l.* the amount which I shall find in the Treasury available to meet such demands.

3. I have therefore obtained from the Bank of New South Wales a loan of 5,000*l.*, which I shall take to Fiji with me, and have arranged with this bank, which is one of first-class character and standing, to honour drafts drawn upon it to the extent of another 5,000*l.*, should the necessity for such drafts arise.

4. The interest charged by the bank on these loans is 6 per cent. on the amounts actually drawn, but I can only obtain the money at this rate on the understanding that an Imperial loan will be ultimately made to the new Colony. I cannot officially state that this will be the case, but I have given the strongest assurances of my belief to that effect. Failing such Imperial loan, no bank would make their advances at a lower rate than 10 per cent., the common rate at which they are now lending money on ordinary security.

I have, &c.
(Signed) A. GORDON.

CORRESPONDENCE respecting the Colony
of Fiji.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. August 6, 1875.*

LONDON:
PRINTED BY HARRISON AND SONS.



CORRESPONDENCE

RELATING TO THE

QUEEN'S JURISDICTION ON THE GOLD COAST,

AND THE

ABOLITION OF SLAVERY

WITHIN THE

PROTECTORATE.

*Presented to both Houses of Parliament by Command of Her Majesty.
February 6, 1875.*

LONDON:

PRINTED BY HARRISON AND SONS.

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Correspondence relating to the Queen's Jurisdiction on the Gold Coast, and the Abolition of Slavery within the Protectorate.

No. 1.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 20, 1874.

I HAVE the honour to transmit to you the inclosed Order passed by Her Majesty in Council on the 6th instant, by which the Legislative Council of the Gold Coast Colony, as constituted under Her Majesty's Charter of the 24th of July, is empowered to exercise by Ordinance all such powers as Her Majesty has acquired, or may hereafter acquire in the protected territories adjacent to the Gold Coast Colony.

2. Primarily the Legislature of the Colony can only exercise jurisdiction over the British Settlements on the Gold Coast and at Lagos, and the object of the present Order in Council is to extend its authority to the protected territories as far as it is competent for the Crown to do so, that is by delegating to it such powers as the Crown itself possesses.

3. A somewhat similar Order in Council was passed in April 1856, conferring certain powers of legislation in respect of the protected territories on the then existing Legislature of the Gold Coast.

4. It was considered desirable on the occasion of the constitution of the new Legislature to issue a fresh Proclamation, and one which would be wider in its terms than that of 1858.

5. You will duly proclaim this Order in Council.

6. You will observe that it is not confined in terms to the Gold Coast Settlements, properly speaking. But Her Majesty's Government do not wish to be understood as, therefore, desiring to exercise any greater interference than hitherto in the so-called protected territories of Lagos. No change should be made in the relations of the Government with those territories unless after very careful consideration and with the previous consent of the Secretary of State.

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 1.

Draft of an Order of the Queen in Council for determining the mode of exercising the Power and Jurisdiction acquired by Her Majesty within divers Countries on the West Coast of Africa near or adjacent to Her Majesty's Gold Coast Colony.

At the Court at Osborne House, Isle of Wight, the 6th day of August, 1874.

Present:

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Mr. Secretary Cross.

Mr. Disraeli.

WHEREAS by an Act made and passed in the session of Parliament holden in the sixth and seventh years of Her Majesty's reign, intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers

Recital of 6 and 7
Vict., cap. 4.

Recital of Charter
of Government for
the Gold Coast
Colony, July 24,
1874.

Legislative Council
of Gold Coast
Colony may regu-
late exercise of
powers acquired by
Her Majesty in
adjacent territories.

Governor to have
veto on laws.

Disallowance of
laws.

Rights of legisla-
tion reserved to
Her Majesty.

Rules to be
observed in passing
laws.

countries and places out of Her Majesty's dominions, and to render the same more effectual," it was, amongst other things, enacted that it should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had, or might at any time thereafter have, within any country or place out of Her Majesty's dominions in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory. And whereas by certain Letters Patent, under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of July, 1874, in the thirty-eighth year of Her Majesty's reign, Her Majesty's settlements on the Gold Coast and of Lagos were constituted and erected into one colony, under the title of the Gold Coast Colony, and a Legislative Council was appointed for the said Colony with certain powers and authority to legislate for the said Colony, as by the said Letters Patent, reference being had thereto, will more fully appear. And whereas Her Majesty hath acquired power and jurisdiction within divers countries on the West Coast of Africa near or adjacent to Her Majesty's said Gold Coast Colony, and it is expedient to determine the mode of exercising such power and jurisdiction. Now, therefore, it is hereby ordered, with the advice and consent of Her Privy Council, as follows:—

1. It shall be lawful for the Legislative Council for the time being of the said Gold Coast Colony, by Ordinance or Ordinances, to exercise and provide for giving effect to all such powers and jurisdiction as Her Majesty may, at any time before or after the passing of this Order in Council, have acquired in the said territories adjacent to the Gold Coast Colony.

2. The Governor for the time being of the said Colony shall have a negative voice in the passing of all such Ordinances as aforesaid. And the right is hereby reserved to Her Majesty, her heirs and successors, to disallow any such Ordinances as aforesaid, in whole or in part, such disallowance being signified to the said Governor through one of Her Majesty's Principal Secretaries of State, and also to make and establish from time to time, with the advice and consent of Parliament, or with the advice of her or their Privy Council, all such laws or Ordinances as may to her or them appear necessary for the exercise of such powers and jurisdiction as aforesaid, as fully as if this Order in Council had not been made.

3. In the making and establishing all such Ordinances, the said Legislative Council shall conform to and observe all such rules and regulations as may from time to time be appointed by any instruction or instructions issued by Her Majesty with the advice of her Privy Council, and, until further directed, the instructions in force for the time being as to Ordinances passed by the said Legislative Council for the peace, order, and good government of the said Gold Coast Colony shall, so far as they may be applicable, be taken and deemed to be in force in respect of Ordinances passed by the said Council by virtue of this Order in Council.

4. In the construction of this Order in Council the term "Governor" shall include the officer for the time being administering the Government of the said Gold Coast Colony.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 2.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 20, 1874.

IN my despatch of the 20th instant* I had the honour to forward to you an Order made by Her Majesty in Council, which delegates to the Legislature of the Gold Coast the exercise by Ordinance or Ordinances of such power and jurisdiction as Her Majesty has or may at any time have acquired in the territories adjacent to the Gold Coast Colony.

2. The Legislature of the Gold Coast Settlements has from time to time enacted Ordinances which were intended to take effect beyond the local limits of the British Settlements of the Gold Coast. Doubts, however, have been entertained as to the validity and force of such legislation, and in 1855 the Law Officers reported that such assumption of authority was not justified.

* No. 1.

3. Her Majesty's Government, having decided to establish a new Colony and Legislative Council for the Settlements of the Gold Coast and Lagos, vesting in that Council the power to legislate for the protected territories on the Gold Coast, the Law Officers were requested to report upon the subject; and, in accordance with their opinion, of which I annex a copy for your private information, the Order in Council already transmitted to you was passed. By this Order the Local Legislature is (subject to the conditions and reservations therein specified) clothed with whatever legislative authority Her Majesty has or may hereafter claim to exercise on the Gold Coast.

4. This having been done, it becomes advisable to define as clearly as may be the extent of Her Majesty's power and jurisdiction, so as to prevent misunderstandings in future, and to enable the Colonial Legislature to know on what subjects it may properly legislate.

5. I need not here examine in detail the origin and history of the peculiar jurisdiction exercised by this country in the protected territories of the Gold Coast. Carried to its highest development under Governor Maclean, its existence is first authoritatively recorded and recognized in the Report of the House of Commons' Committee of 1842, which, in recommending the continuance of the system, suggested that it should be made the subject of distinct agreement with the native Chiefs. That recommendation resulted in the negotiation with the native Chiefs of the document called the Bond of the 6th of March, 1844, which is the only document purporting to define the extent of the Queen's jurisdiction on the Gold Coast in other than strictly political matters. But that definition, either from being an inadequate representation of the facts as they then existed or from change of circumstances, no longer truly expresses what Her Majesty's Government believe to be the extent and scope of Her Majesty's power.

6. The Bond grants to Her Majesty's officers the right to try and punish crimes and offences and to repress human sacrifices, pannyaring, and other unlawful acts and barbarous customs. It is silent as to the Queen's right by her officers and delegates to collect customs, to administer civil justice, to legislate for the public health, to erect municipalities, to provide for education, to construct roads and regulate the industrial and social economy of the Protectorate. On all these matters the Legislature or Government of the Settlement have, with or without the co-operation of the native rulers, exercised authority to an extent which, strictly speaking, could only be justified on the assumption (the justice of which I am satisfied is not open to question) that these matters have by usage and by the sufferance and tacit assent of the natives fallen within the province of the Queen's authority.

7. The necessity of some more adequate definition of the Queen's authority than the obsolete Bond of 1844 being thus apparent, it remains to be considered whether that definition should take the form of a Bond to be negotiated with the Chiefs, as in 1844, or a Proclamation emanating from the sole authority of the Queen.

8. In 1844 the method of proceeding by negotiation was recommended by obvious considerations of prudence. But in the thirty years which have since elapsed the power and resources of the British Government have been gradually increasing, until, by the recent victories of the British forces, they have been so strengthened and consolidated as to render an act of sovereign power, such as a Proclamation of the Queen, the only appropriate mode of proceeding for the attainment of the desired object. It may be added that there are many objections of policy to proceeding by way of negotiation. It is not for Her Majesty to take as a grant what is already claimed and held as a right; whilst, looking to the number of petty Chiefs on the coast, and the obscurity in which their relations with one another are involved, there would be some danger of not inviting the concurrence of Chiefs who might afterwards allege, and with a certain show of reason, that their consent was as requisite as that of others whose co-operation had been asked and given. Besides this, the Government would be placed in a position of much embarrassment if any considerable body of Chiefs refused their consent in part or in whole to the proposed Treaty.

9. On the other hand I should be anxious to avoid the risk, if any, attendant upon this manner of proceeding of alienating the feelings of the natives, and I am fully alive to the importance of their willing co-operation in the work of promoting the civilization and prosperity of the Protectorate. The nature of the proposed terms are such as, if not fully and clearly explained, might excite the alarm and aversion of the less intelligent rulers, whilst a too hasty assumption of authority might create a feeling of discontent, and possibly lead them to seek alliances beyond the Protectorate with tribes hostile to our power.

10. Before coming to any conclusion as to the best mode of procedure, I desire to

know your opinion on a question which is, perhaps, as difficult as any that you may be called on to deal with, and one that demands the exercise of the most delicate tact and judgment. I inclose a draft of a Proclamation which I have caused to be prepared for consideration.

11. In defining the nature of the Queen's Protectorate on the Gold Coast, it may be well also to define and limit the local extent of that Protectorate.

12. What may be termed the natural boundaries of the Protectorate to the north and east are, to a great extent, marked out by the course of the Prah and the Volta, and the lagoon dividing Quittah from the sea; but considerations connected with the protection of trade and the collection of revenue may compel your Government to plant establishments or exercise jurisdiction in parts of the Ahoonah country lying to the east of the Volta and behind the Lagoon. The question of the northern limit of the Protectorate towards the Croboe and Aquamoo country will also call for careful examination in connection with the request of the Aquamoo people to be included in the Protectorate, recently reported by Dr. Gouldsbury, and it may be worthy of consideration whether some limitation should not be put on what are usually regarded as the boundaries of British jurisdiction in the little-known regions of the north-west.

13. Up to this point I have confined my observations to the Protectorate adjacent to the Gold Coast Settlement; but a further question of grave importance presses for consideration with reference to the boundaries of British territory and the British Protectorate at Lagos, for it will not have escaped your notice that the language of the Order in Council in effect delegates to the local Legislature Her Majesty's rights over both Protectorates. As bearing upon this point I may refer you to Lord Kimberley's despatch of 5th April, 1873, to Governor Keate.

14. You are well aware that the effect of including, under the same provisions and procedure, the area of country which has been called the Protectorate of Lagos, would have to be seriously considered, as possibly involving us in difficulties with the neighbouring nations, which might prove deeply injurious to the prosperity of that Settlement. The history of our relations with the protected territories of Lagos differs entirely from that of our relations with the protected territories on the Gold Coast. Her Majesty's Government have not assumed to so great an extent at Lagos as at the Gold Coast the direction of political and other affairs, and the Queen's forces have not at Lagos, as on the Gold Coast, been associated with the native Powers in hostile alliances against a powerful common foe. For these reasons I am inclined to think that the Queen's authority as a protecting power need not, under present circumstances, be declared to extend to the Protectorate of Lagos, as proposed to be defined in the Draft Proclamation, although, of course, under our Treaty engagements, we must continue to exercise a control over the affairs of that part of the coast, and in some sense to discharge the functions of a protecting Power.

15. I have to request your opinion and criticisms, together with those of Mr. Chalmers, on the draft Proclamation, as well as on the form it should assume, and the territories to which it should be declared to extend. I shall be glad to receive your answer as soon as you feel yourself able to come to a conclusion on the various questions contained in this despatch.

16. If, contrary to my expectations, it should seem desirable to proceed by Treaty engagements with the native Chiefs, the draft Proclamation, with due alterations of phrase, will probably suffice as a draft of the bond which those Chiefs would be required to sign. But I have to request that you will apply to me confidentially for further instructions before taking any open action in the matter.

17. I need hardly add that, in the meantime, it will not be desirable for the Legislative Council, unless some very special emergency should arise, to attempt to exercise the powers vested in them by the recent Order in Council.

18. There remains the question of the existence of slavery within the range of the Queen's influence and authority. It is one surrounded by many and serious difficulties, but it is also one which affects, by its existence, not only the honour and traditional policy of this country, but the welfare and good government of the Gold Coast. It has ever, since I received the seals of this Office, engaged my anxious attention, and though Her Majesty's Government could not consent to have the decision of it forced upon them, and to be pledged to some precipitate and probably ill-considered course of action, they have at no time abandoned the hope and intention of extinguishing an evil which they have been compelled to tolerate, but in which they have never acquiesced. The time has now, in my opinion, arrived when at least the possibility of dealing with this important question may

receive a careful and dispassionate consideration; and I propose to address you in another despatch on this subject.

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 2.

Draft of a Proclamation defining the Nature and Extent of the Queen's Jurisdiction on the Gold Coast.

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come greeting:

WHEREAS, by an Act of Parliament made and passed in the Session of Parliament holden in the sixth and seventh years of our reign, intituled "An Act to remove doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual," it is, amongst other things, enacted that it is and shall be lawful for Us to hold, exercise, and enjoy any power or jurisdiction which We now have or may at any time hereafter have, within any country or place out of Our Dominions, in the same and as ample a manner as if We had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas We have by grant, treaty, usage, sufferance, and other lawful means acquired, and do hold, exercise, and enjoy power and jurisdiction in divers countries on the west coast of Africa, near or adjacent to Our Gold Coast Colony:

And whereas by an Order made by Us in Council, bearing date at Osborne House, on the sixth day of August, in the year of our Lord one thousand eight hundred and seventy-four, it was amongst other things ordered that it should be lawful for the Legislative Council of Our said Gold Coast Colony for the time being by Ordinance or Ordinances to exercise and provide for giving effect to all such power and jurisdiction as We might at any time, either before or after the passing of the said Order in Council, have acquired in the said territories adjacent to the Gold Coast Colony:

And whereas the extent and nature of Our power and jurisdiction, as now actually holden, exercised, and enjoyed by Us in the said territories have not been anywhere by Us fully declared:

And whereas it is expedient, for the guidance and information, as well of the Legislature of Our said Gold Coast Colony, as for that of the native Chiefs and Rulers living under Our protection in the said territories, that the nature of Our power and jurisdiction, as well as their local limits, be declared by Us.

Therefore We do declare as follows:—

Our power and jurisdiction which We have acquired as aforesaid extends amongst other things to—

I. The preservation of the public peace and the protection of individuals and property.

II. The administration of civil and criminal justice, including—

(1.) The constitution and regulation of a Superior Court of Justice, such as that which has been hitherto known as the Judicial Assessor's Court, of District Magistrates' Courts, native Courts, and such other Courts as it may from time to time be deemed expedient to create.

(2.) The enactment of laws relating to crimes, wrongs, personal rights, contracts, property rights, and fiduciary relations similar to those prevailing in Our Gold Coast Colony, but framed with due regard to native law and customs where they are not repugnant to justice, equity, and good conscience.

(3.) The determination of appeals from native Tribunals to magistrates, or to some superior Court.

(4.) The apprehension and trial of criminals and offenders of all kinds in any part of the said territories.

(5.) The supervision and regulation of native prisons.

III. The extinction of human sacrifices, panyarring, judicial torture, and other immoral, barbarous, and cruel customs.

IV. The abolition of slave trading.

V. Measures with regard to domestic slavery and pawning.

VI. The protection and encouragement of trade and traders, including the con-

struction, maintenance, and improvement of roads, paths, bridges, harbour works water ways, telegraphs, and other public works, which benefit trade and promote civilization.

VII. The maintenance of an armed police force for the preservation of internal order and the prevention of foreign aggression, and the organization of the military forces of the native Rulers in alliance with Her Majesty.

VIII. The settling by the authority of the Governor of Our Gold Coast Colony of disputes arising between different Chiefs and Rulers in the said territories.

IX. The promotion of the public health, including the imposition, with the assent of the native Chiefs, of sanitary rates in towns and villages.

X. The establishment of municipalities.

XI. Public education, including industrial and religious training.

XII. The raising of a revenue by licenses and customs, and by such direct imposts as the native Chiefs and Rulers, or a major part of them, may agree to.

And further, We declare that the under-mentioned territories are those within which at the present time We have power and jurisdiction as aforesaid.

[List of territories to be inserted by the local authorities in the first instance.]

No. 3.

The Earl of Carnarvon to the Officer Administering the Government of the Gold Coast.

Sir,

Downing Street, August 21, 1874.

IN conformity with the intention I expressed to you in my despatch of the 20th instant,* I desire now to address you on the subject of slavery and slave-dealing in the protected territories of the Gold Coast.

2. Her Majesty's territorial dominion on the Gold Coast is of narrow local range. It extends merely to the forts, or at most to so much of the lands immediately adjacent, as may be required for defensive, sanitary, or other purposes essential to the maintenance of the British position on the coast. All beyond that area is foreign territory. ✓

3. Within British territory slavery has, I need scarcely say, no existence. It ceased by virtue of the Act of Parliament of the 3rd and 4th Will. IV, cap. 73. But in the territories which lie beyond that range, the rule is otherwise. That country is foreign soil, divided amongst native Chiefs and rulers standing in no relation of allegiance to Her Majesty, independent of one another, and each presumably sovereign within the local limits of his own domain.

4. But within the territory of each such ruler, the English Sovereign has, by cession or sufferance, acquired a varying degree of authority, and over the whole an undefined and somewhat anomalous jurisdiction.

5. Hitherto, that authority has not been regarded as entitling the Crown to interfere directly with the system of slavery and slave-dealing which has existed by law and custom in these territories from time beyond the memory of man. The eminent Statesman who was Secretary of State for the Colonies in 1841, did not hesitate to lay down this doctrine, "If the laws or usages of these countries," said Lord Russell in a despatch of the 14th July of that year, "tolerate slavery; we have no right to set aside those laws or usages, except by persuasion, negotiation, and other peaceful means." Whilst I am not prepared to dispute the political wisdom of this proposition, viewing it, as is only just, in reference to the circumstances and possibilities of the time when it was laid down, I would observe that even then the British Government, through the Judicial Assessor and the general administration of the Settlement, exercised, though an indirect yet a powerful influence upon slavery, as well as upon the other barbarous customs of the Gold Coast, and mitigated in a material degree its miseries and injustice.

6. The jurisdiction of the Judicial Assessor, in the language of one of the most distinguished of my predecessors in this office, the late Earl of Derby, "had its origin in a desire to mitigate, by the influence of Christianity and civilization, the effects of cruel and barbarous customs; it has been brought into operation upon a state of society, and under relations to savage tribes, necessitating a neglect of all technical rules and observances. In its effects it has undeniably been the means of insuring justice, preventing cruelty, and promoting civilization."

7. Further than this, however, the Government did not attempt to go. The right was not claimed, and the duty was denied, of making any more direct attack on this ancient institution of the country.

8. But the time has now come when it appears to me possible to lay aside the somewhat timid attitude which was, in a great measure, imposed upon my predecessors by the force of circumstances, and even to incur some risk for the sake of removing the dishonour and moral taint which is incurred by a toleration of slavery, when once that toleration ceases to be a matter of absolute necessity.

9. At the beginning of last year the tribes of the Fantee Protectorate were invaded by an Ashantee Army estimated at 40,000 men, and led by a General of the King's family. This army defeated and broke up the united armies of the Fantee tribes in two pitched battles, laid the whole country waste by fire and pillage, and proceeded even to attack the fortified English Settlements on the seaboard. That attack was, indeed, easily repelled by the disciplined English forces, armed, as they were, with weapons of precision; but the whole of the Protectorate, as before, lay helpless and unresisting at the mercy of the conqueror.

10. At this juncture in the affairs of the Fantees, Her Majesty's late Government dispatched to Cape Coast Castle one of the most distinguished Commanders in Her Majesty's service, with a numerous and capable staff, and with a considerable body of soldiers, assisted by a naval force, to repel the invasion; having sent about the same time another officer of capacity and experience, well acquainted with the West African natives, to organize the tribes of the Eastern Protectorate, and to carry the war into the Ashantee territory.

11. The Fantee Chiefs and people did little or nothing for their own deliverance. But the Queen's troops and seamen, aided by native levies from Sierra Leone, Lagos, and Bonny, fought the battles of the Fantees, cleared the Protectorate of their enemies, followed the army of the King of Ashantee into his own territory, defeated it in three pitched battles, possessed themselves of his capital city, and compelled him to agree to a Treaty of Peace which it may be hoped will effectually secure the Protectorate from annoyance on the part of their old enemies.

12. I have been thus particular in recapitulating the events of the late war, because I hold and am desirous of pressing on the Fantee Chiefs, that as by the costly and unaided efforts of the Queen they have been raised from the abyss of misery and defeat in which they lay, to a position of peace and security, so Her Majesty, as their deliverer, is entitled to require of them a greater degree of deference and conformity to the known desires of herself and her people than she has in former times exacted.

13. Nor is it intended that Her Majesty's title to their co-operation should rest upon their rescue and protection only. It is hoped so to influence their internal affairs and their relations with their neighbours, as to promote greatly their trading interests, and bring them prosperity as well as peace.

14. The Chiefs and the inhabitants of the Protectorate should be frankly informed that in return for the benefits thus conferred their co-operation is required in the pursuit of one principal and paramount object, which Her Majesty's Government will employ their unremitting efforts to accomplish, and this is, the immediate abolition of slave-dealing and the importation of slaves, to be followed by such regulation of the relations between master and slave as shall ultimately, and in no long course of time, effect the extinction of slavery itself.

15. In making this avowal care should be taken to excite no needless fears, such as might arise if it were to be supposed that what is contemplated is some sudden and ruinous subversion of the existing social relations depending upon slavery, without regard to the various interests which have grown up and are closely connected with it. But Her Majesty's Government desire that their abhorrence of slavery and their determination to take measures for its ultimate abolition, as well as for the immediate abolition of slave-dealing by importation, should be declared at once, because it is now, when the impression made by recent events is fresh and strong, that such a declaration will be opportune, supported as it must be in the minds of the natives by a sense of what has been done for them; by a recognition of the homage due to the power and beneficence of the British Crown, and by a lively consciousness on the part of the owners of slaves themselves, that it is owing solely to the British nation that they are not themselves the slaves of a foreign Power.

16. Under such circumstances it is not in mere acknowledgment of indefeasible right of property, impossible as it would be wholly to ignore, under the circumstances of the case, that there are certain rights of property vested in the owners of slaves on the Gold Coast, as there were forty years ago in the West Indies, that Her Majesty's

Government abstain from enforcing their immediate emancipation; it is also from a sense of the evils and sufferings that might be occasioned to the slaves themselves, as well as to other classes, by an abrupt dissolution of ties by which the whole fabric of society has been hitherto held together, and which are interwoven with all their traditional sentiments and usages.

17. But there are no such considerations to dissuade the immediate abolition of slave-dealing by importation. This is an outrage and a crime, and must be punished as such wheresoever the authority of the British Crown can avail to bring it to justice. I have to request, therefore, that, in concert with your legal adviser, you will prepare for submission to Her Majesty's Government the draft of an Ordinance by which full punishment shall be awarded for this offence, and by which every person brought under compulsion within the Protectorate from beyond its bounds for the purpose of being sold or otherwise dealt with as a slave, shall be declared free.

18. Slave-dealing, by the sale or pawning of slaves who are natives of the Protectorate or already within its limits, is a matter of more difficulty. The Doncos or slaves of foreign extraction may, perhaps, be dealt with on a different footing from the others. They are said to be treated with much more harshness than the native slaves, and this may well be believed, inasmuch as they are without blood relations or connections to interfere for their protection. And, at the same time, their isolated condition may render their liberation a matter of less difficulty than the liberation of native slaves. What are the numbers of the Doncos I am not informed; but, if they are not numerous, I suggest for your consideration the question whether they and their children might not be emancipated at once by payment to their owners by the Government in fixed annual instalments of the total sum of 8*l.*, as the estimated price of each of the adult slaves, with such addition for children, if any, as their estimated value might justify, on such slaves contracting with the Government to give their daily labour to the making of roads or other public works for such a term of years and at such a rate of wages as would provide for their subsistence, and that of the children, if any, and at the same time reimburse the Government, wholly or in part, the sums paid for the slaves and their families. The practicability of this scheme would depend, amongst other things, on the means which the Government might have of inducing or coercing the performance by these liberated slaves of their contract to supply the required amount of labour. If necessity and the want of other means of subsistence were not enough, the means of coercion should certainly not be by corporal punishment.

19. I proceed now to the still more intricate question in what way to provide for the abolition of native and domestic slavery.

20. It is impossible to approach this subject at all without first setting forth on what understanding of the state of society the suggestions I have to make will be founded.

21. I am well aware that to give any concise or coherent statement of what are the chief features of slavery on the Gold Coast may be misleading, as conveying a notion of a state of law and feeling more fixed and definite than anything which exists in actual practice or in the minds of the people themselves. But, so far as I have been enabled to understand the state of things from the more authentic sources of information within my reach, it may be described as follows:—

Every man by birth is either a slave or liable at the will of others to be reduced into slavery, for slavery is an emanation of parental and family authority. Every man is saleable either by his father or by his mother, according to the character of the union subsisting between those parents.

“*Proles sequitur ventrem*” is the rule, and if the wife is the slave of the husband her children are from birth his slaves. If, on the other hand, the wife be a woman of free status, who contracts a free union with her husband, not only are her children not his slaves, but neither she nor they become members of his family. They are her slaves, supposing her to be *sui juris*, or the slaves of those under whose parental or family authority she herself may be.

Her property in the children, however, is said to be subject to this burden, that for each child which she bears she is liable to her husband for a payment in gold dust of a sum equal to about 1*l.* 2*s.* 6*d.* sterling. Subject to this, she has full dominion over the children. In default of payment, they stand pledges, or pawns, in the hands of the husband for the amount.

She herself stands a pawn for the amount of the dowry which her husband has paid her relations for her. On repaying that amount she is free to return to her family.

The debt of dower does not die with the husband, and the widow has either to pay it to his personal representative or submit to become that person's wife.

The children of free parents, although at any time liable to be alienated into slavery, are not, in default of alienation, regarded as slaves; and they designate themselves "free people," as distinguishing them from those who, being born of slaves, are slaves from birth.

The slave can marry, and is not incapable of entering into other contracts. He can acquire and hold property for himself, including property in other slaves; and, it is said, that slaves having risen to wealth and consideration superior to that of their masters have, in the end, purchased their masters as slaves for themselves.

By native law, indeed, there was no limit to the master's power of punishing his slave; but the modern law of the Protectorate, as moulded by English magistrates, so far as their influence has extended, is that cruel treatment forfeits the property of the master in the slave. If the ill-treatment proved has not been excessive, and it yet appears that the master and slave are not likely to agree, the matter is settled by the slave being allowed to find another master, to whom his former one is compelled to sell him. So, too, the forcing of a slave-wife to practice prostitution is a cause of manumission.

As between the slave and the outside world, it is alleged that his status does not affect him at all. As between himself and his master it involves an obligation of perpetual service in himself and his children, and a liability to reasonable correction, but not any further inequality.

But besides slavery proper, there is a species of slavery called "pawning," which has its origin in contract, and the chief features of which are that the pawn remains in servitude to a temporary master, as a pledge for debt. Debts by native law often bear a most usurious interest, and whilst the labour of the pawn does not go in reduction of the principal or interest of the debt, the pawn himself remains in servitude with the creditor till both of these are paid. It would appear that the debtor may extinguish the debt, by releasing to his creditor what may be called the equity of redemption in the pawn, which is effected with the cumbrous formalities incident to a barbaric sale.

A wife, as before stated, stands pawn for her dowry; and I understand that it sometimes happens that when her family become embarrassed, in consideration of an addition to the dowry already paid them, they relegate her finally into the slavery of her husband.

As debts bear a usurious rate of interest, it follows that they quickly assume such formidable proportions that pawns are rarely redeemed. Pawning, indeed, is the usual way in which the slavery of an individual to a new master commences, and a man probably pawns his children, his heirs, or his "family slaves," with an easier conscience than he would sell them, having the excuse that he means to redeem them, although he has no reason to believe that he will ever have the ability to do so.

The more, indeed, that I look into the question, the more I am led to believe that all paths lead to this practice of slavery—all customs connect themselves with it. The habits, themselves, of the people lead to the multiplication of debts, and, consequently, of pawns and slaves. Heavy damages are given in cases of adultery by the native Courts, and as these are regulated by the rank of the husband, many men are thus reduced into slavery. To these may be added, as causes fruitful of embarrassment, the expenses attending the celebration of all the principal events of life, such, even, as marriage and the funeral ceremonies.

There is another and a less harsh view presented by the domestic slavery of the Gold Coast. Economically, the condition of a slave may be, under some circumstances, even an advantageous one as compared with that of a free labourer. When, in 1841, Dr. Madden, the Commissioner despatched to the West Coast of Africa by Lord John Russell, offered the slaves of Accra their freedom, they asked him whether the Queen would give them anything to eat, as otherwise they would prefer to remain slaves. When, too, a free man falls into poverty he not seldom elects to become a slave rather than work for wages, as when he is a slave his master will be under an obligation to support him when sick, to make him annual presents, and to provide for him an appropriate burial at his death. In many respects the condition of the native slaves is one of social equality with their masters. The family slave sits at his master's table, eats from the same dish, shares his pleasures, and from preference occasionally marries his master's daughters. He is regarded as a member of the family, and has a voice in the family council, even when the question is as to who shall be selected for alienation into strange slavery, in order to extricate the family from embarrassment.

22. This account of slavery on the Gold Coast, which I have endeavoured to state with all fairness, and which I have derived alike from despatches in this Office, from Parliamentary Reports, and from the most trustworthy accounts which modern travellers have given us, resembles rather the patriarchal institutions of former, or the Turkish system of modern times, than the predial slavery of our West Indian Colonies previously to 1834.

23. But whatever external aspect of mildness and moderation slavery may put on under one form or another, it is never to be forgotten that its internal workings, could they be seen either in their general or in their exceptional character, would disclose an amount of miseries and sufferings, of injustice and cruelty, not experienced in any other condition of life, which defies all niceties of adjustment and regulation, and for which no Christian Government, if it has the power, ought to make itself responsible. Further, we must bear in mind that, in proportion as we succeed in promoting the commercial and industrial prosperity of the country, we add new temptations to the slave-owner to abuse his power, and we aggravate the sufferings of the slave. If the predial slavery of the West Indies was barbarous and inhuman, it was not because the slave-owner was uncivilized, but because the labour of the slave was highly lucrative, and because highly lucrative labour could not be exacted from slaves by any other instrumentality than the lash in the hand of the driver. If labour on the Gold Coast should become, as we hope it may, much more productive and profitable than it is at present, the inevitable consequence will follow that it will be extorted in larger measure and by severer means.

24. But I am further led to consider that, under the circumstances supposed, the value of slaves will be enhanced, and that, were a scheme of emancipation adopted which involved compensation in money to the slave-owner, the compensation, if left to be computed according to the current market price of the time, would become more costly in proportion as the country became more prosperous. It is therefore important that the existing price of slaves should be ascertained as nearly as may be, and that, in event of compensation being hereafter accorded, it should have reference to a price now to be fixed. The present price of a slave is said to be between 8*l.* and 9*l.* This, I presume, is the price of an adult able-bodied male slave. Sex, age, and health would, of course, vary the estimate, and it will be necessary that some scale should be established, according to which the value of each class of slaves should be determined.

25. At the same time it will not be desirable at present to hold out publicly to the owners of slaves any expectation that a claim to compensation in money will be admitted as a necessary condition of emancipation. Various projects of emancipation have been suggested or have come before me, some of which do, and others do not, contemplate compensation for the slave-owners; and I will proceed briefly to indicate those of them which appear to me to deserve consideration, being such as may possibly present, when modified or amplified, elements or modes of operation out of which a practicable scheme of emancipation may be constructed.

26. My attention has been directed by a person of high authority for his experience alike of Indian administration and Eastern slave-dealing, to the course taken by Lord William Bentinck, nearly fifty years ago, in treating the question of slavery in India, which was that of simply forbidding slave dealing, and providing that no Court should take cognizance of any right over the liberty or person of a servant, otherwise than under the ordinary rules of English law applicable to contracts for service between free men. He observes that "there was no disturbance of labour relations. Where the slaves were content, they went on serving. There was no excitement and no occasion for compensation. But the emancipation was far more complete and immediate than in any other country, and probably affected many more millions of men than in America and the West Indies put together."

I am not prepared to say how far slavery on the Gold Coast may be analogous to the slavery put an end to by Lord W. Bentinck in India, but it is scarcely conceivable that the abolition of Gold Coast slavery can be thus simply and easily accomplished. It is easy to conceive that, by such a course, the relations between husband and wife, and between parents and their offspring, which are now those of owner and slave, might very possibly cease to be so without any serious disturbance of the social fabric. Personal attachment and natural ties might combine with the force of custom and tradition to make the change gradual and easy. The enslaved relatives might not desire to assert their freedom, or their owners to insist upon their ownership. In the case, also, of slaves who are old or infirm, need and necessity might render the change practically inoperative, and leave the slaves where they were. To these classes might be added possibly no inconsiderable number of slaves who, being well treated and living

on friendly terms with their owners, would have no desire to be thrown upon their own resources, or to change the mode of life to which they have been accustomed. But, after every allowance has been made for slaves so circumstanced, it is only probable that there will be a large remainder, and especially of "pawns," who would hasten to avail themselves of their new immunities, and to quit the service of their masters.

And here, again, it should be remembered that the force of custom may operate unfavourably as well as favourably, and upon the master as well as on the slave, and that the master can scarcely be expected to submit quietly and with contentment to the sudden abrogation of his rights and loss of the services to which he has considered himself entitled by every law and usage of which he or his forefathers have had any knowledge or experience. It must rather be assumed that he will attempt to maintain his rights by coercion; and that the Courts, refusing to take cognizance of the relations between him and his slave, may generally, and where there is no domestic tie, be called upon to punish the masters in considerable numbers for acts of violence, whilst the Chiefs themselves, who sit in the Courts and are large slave-owners, will sympathize with the offenders against the new law rather than with those who invoke its protection.

27. But if we cannot venture upon any such general renunciation by the Courts of the jurisdiction which they now exercise over the relations between slave-owners and slaves, it may, nevertheless, be well deserving of consideration whether they may not safely refuse to recognize slavery as between husbands and wives, and as between parents and their offspring. I should greatly desire—if consistent with public safety and public interests—to see this step taken with the least delay; but whether or no this can be hazarded, there is one unnatural exercise of the rights of ownership in the alienation of near relatives by sale or by pawning, which ought, I think, to be abolished at once. The abolition, in addition to its direct contribution to the cause of freedom, would have an indirect result which is greatly to be desired. It would strike at credit and the facilities for contracting debt which are no doubt deeply injurious in other ways as well as in the propagation of slavery.

28. In this point of view, indeed, and in others, it is, I think, eminently desirable that there should be an immediate avoidance of all future contracts for the sale or pawning of slaves; and as this would deprive the slaves of the resource now open to them of transfer by their own desire from a worse master to a better, the rule prevailing for many years past by which the Courts have manumitted slaves in cases of cruelty, should be extended to all cases of unprovoked ill-treatment of a serious nature.

29. It appears from the evidence taken before the Committee of the House of Commons in 1865, that the German Missionaries in the Eastern Districts of the Protectorate have been enabled to effect the liberation of a considerable number of slaves amongst their Christian converts, by inducing Christian masters to agree to the gradual self-redemption of the slaves.

As I have already observed, the right of the slave to hold property does not appear to be questioned; and there can be no doubt that every slave who has the means should be invested with the right of purchasing his own freedom and that of his wife and children; and some scale of valuation should be devised founded in the case of self-purchase as well as in that of compensated manumission upon present values. But if the owner of valuable slaves were thus deprived of his right to retain them, he would no doubt think himself entitled to renounce the duty of supporting those whom, on a balance of profits and losses, he might consider to be burdensome rather than valuable; and it would be necessary to secure some provision for those of the old and infirm who have no natural claim upon him for support, or to add to the price of the valuable slaves an annual contribution by which he should be indemnified for the subsistence of the others.

30. When, in 1833, various plans were under consideration for effecting the emancipation of the slaves in our sugar Colonies, one was proposed by a very distinguished member of this Department, which has come under my attention, and of which the main features may be stated as follows:—

It was proposed that the entire slave population should be divided: 1. Into the two sexes; and 2. Into classes according to their ages; that upon each class of each sex a price per head should be fixed by law, arbitrarily, but founded as closely as was possible upon the average market price borne during the last ten years by slaves of the like age and sex; that this price per head of each class should be divided into six equal parts, each of those parts, therefore, representing the price of the slave's labour for any one of the six working days of the week; that the Government should immediately purchase for each slave between the age of 6 and 70, one of these six

working days by paying to the owner the sixth of the slave's price; that the slave should then be left, by his own exertions in this one free day, to gain the means of purchasing for himself a second free day; by his own exertions in the two free days to effect the purchase of a third: and so on till he should have accomplished the purchase of the remaining working days of the week, when he would be altogether free. Slaves in life at the period of this measure, but under 6 years of age, were to have their sixth day purchased and given to them as soon as they should reach age, whilst those above 70 years of age were to have the option of gratuitous freedom of retaining their claims of support by their owner and continuing under the obligations of slavery. The progeny thenceforth born of slave mothers were to inherit the sixth day, which should have been purchased for the mother, together with any such further days as she should have purchased for herself previously to the period of the birth.

The principle of this project was thus explained. Looking upon the evils and hazards of sudden emancipation as arising from the certainty that the great body of slaves would be liberated without any proof of their fitness for freedom, and with a presumption that they would not acquire in freedom any habits of voluntary industry, the chief aim of the project was to give the slave, with a small portion of immediate freedom, the power of reaching total and ultimate emancipation through the exercise of industry and not without it. In being thus, to a great extent, the agent of his own redemption from slavery, the slave would give undeniable proof of previous industry, and therefore of preparation, in one particular at least, and that, perhaps, the most important of all, for the state to which, with the assistance essential in the first instance, he should have worked his own way. The rapidity of the progress made towards freedom would be in the direct ratio to the good or the bad use which he might make of the portion first conferred upon him; whilst the general operation of the measure would be in accordance with the great principle by which the lives of men are governed, and to which all men are amenable: that which calls their powers and virtues into action for their own profit and advantage; and brings home to them the consciousness of a moral agency and responsibility, by making the good and evil of their lives the result of their own conduct.

The circumstances of West Indian predial slavery and of Gold Coast slavery, domestic or other, are so widely different, that even had this proposal been considered applicable to the one, it by no means follows that it could be satisfactorily adapted to the other. Assuming a fund to be forthcoming from which one day in the week could be purchased for an able-bodied slave on the Gold Coast at the price say, of 1*l.* 6*s.* 8*d.* (*i. e.*, one-sixth of his value), he might nevertheless fail to find within his reach any wage-earning employment by which he could turn the day to good account. It is possible, however, that to some extent, and in situations where road making or other public works might be in progress, a slave who was provided with the means of purchasing one day in the week might, with industry, earn the means of this piece-meal manumission. And in the Spanish Colonies in former times, under the name of the "coartado" system, this plan is said to have been in practical operation with beneficial effects.

31. Having regard to the small money value which slave labour bears at present, and to the probability that custom and circumstance stand in the place of law and of themselves suffice to maintain existing relations, I desire to hear from you, whether in your opinion, by the payment of a small compensation in money, such as it would be possible for me to sanction, the willing co-operation of the Chiefs and the large slave-owners may be obtained to the prospective extinction of legal slavery at the end of a short term of years. The extravagant rate of interest upon loans, perhaps, points to the prevalence of a low estimate of future in comparison with present advantages, and the short forecasts and improvidence which now renders the pawning of slaves for loans on these terms so frequent, may be equally available to facilitate their redemption from slavery on easy terms by immediate payments. It is possible that the Chiefs might be brought to agree to such an arrangement the more readily if warned that, whether in this way or some other, the legal status of slavery must cease at no distant time. For the purposes of such an arrangement it would probably be equitable that pawns should be taken to be the slaves of their present possessors, unless the indebted owner is able to pay his debt, including the arrears of interest, in which case the compensation should be payable to him, and the right to the services of the pawn should revert to him for the appointed term.

32. The various proposals which I have now indicated require a careful consideration whether for the adoption of their principles or to shape their details to the social and local conditions of the Gold Coast. There may be other measures which may be

better suited to the circumstances with which we have to deal, better suited to secure that universal and early emancipation which I have contemplated; but however this may be, I would wish you to prepare at once for an early declaration that all children born after the end of this year shall be born free. This can entail no practical hardship on the present holders of slaves; it is possible, it is right as a matter of policy; and it will remove from the next generation the sufferings and bondage which have cast a shadow upon English institutions on the West Coast of Africa.

33. In conclusion, I have merely to add that you have now before you, not only those proposals which have been suggested to Her Majesty's Government and which appear best to deserve attention, but also in some particulars the views and purposes which Her Majesty's Government entertain. What I desire is that, in conjunction with your Law Officer whose experience of the West Coast of Africa and the social conditions of its people, no less than his legal knowledge and abilities, gives great weight to his opinions, you will look into these matters in all their bearings, and report to me the conclusions at which you may arrive, always bearing in mind that the question at issue is not whether the legal status of slavery shall or shall not cease, nor indeed whether emancipation shall be deferred to some indefinite and distant date, for on those questions the mind of Her Majesty's Government is made up; but by what modes of proceeding the many difficulties in the way may be surmounted without sacrifice to those objects which are essential to public order and the peace of society on the Gold Coast.

34. There is one further observation which I think it necessary to make for your guidance. In the accounts which have been given of the structure of society by the most experienced and enlightened Administrators during and since the Government of Mr. Maclean, the patriarchal position of the Chiefs has been dwelt upon as the main stay of society. I am very imperfectly informed as to the alteration wrought by the events of last winter in the position of the Chiefs and in other elements of social organization; but of one thing there can be no doubt, that the importance to be attached to the views and sentiments of the Chiefs is not to be measured by their claims or by their deserts, inasmuch as both are wholly insubstantial, but by the value of their co-operation, whatever that may be, in giving beneficial effect to the changes we purpose to bring about.

I have, &c.
(Signed) CARNARVON.

No. 4.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord, *Government House, Cape Coast, September 16, 1874.*

I HAVE the honour to acknowledge receipt of your Lordship's despatch of the 20th ultimo,* forwarding an Order passed by Her Majesty in Council on the 6th of August, by which the Legislative Council of the Gold Coast, as constituted under the Charter of the 24th of July, is empowered to exercise by Ordinance all such powers as Her Majesty has acquired or may hereafter acquire in the Protected Territories adjacent to the Gold Coast Colony.

2. This Order in Council was duly proclaimed on the 12th instant.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator.*

No. 5.

Governor Strahan to the Earl of Carnarvon.—(Received October 14.)

My Lord, *Government House, Cape Coast Castle, September 19, 1874.*

I HAD the honour to receive on the 10th instant your Lordship's despatch of the 21st of August,* on the subject of slavery and slave-dealing in the protected territories of the Gold Coast.

2. Although only a short interval has elapsed since the receipt of your Lordship's despatch I feel that, after the consideration which I have given to the subject of

* No. 1.

† No. 3.

slavery on the Gold Coast since my arrival in the Settlement, and after a perusal of the elaborate statement of the various proposals in all their bearings which have been suggested to Her Majesty's Government as embodied in your Lordship's despatch, I am now in a position to report as follows:—

3. After due consideration of the several schemes indicated by your Lordship, I have decided on recommending a proposal, the main features of which are—

(1.) The immediate and absolute prohibition of slave-dealing in every form, including the prohibition of the importation into the Protectorate of slaves and persons to be sold as slaves, and a declaration of the unconditional freedom of such persons.

(2.) Provision that no Court, English or native, shall give effect to any right or claim affecting personal liberty except such rights as by the Law of England may arise under contracts of service, and as, without being repugnant to that Law, may arise out of the family and tribal relations which exist among the native inhabitants of the protected territories.

(3.) A declaration that all children born on and after a certain day (to be named) shall be free persons. Although no formal declaration is made of the freedom of the existing slave population, they would substantially and for practical purposes be equally free as these children.

4. The drafts of two Ordinances which have been framed by Mr. Chalmers for the purpose of carrying the above into effect are transmitted herewith, together with a draft Proclamation and Mr. Chalmers' Report regarding the detailed provisions of the Ordinances.

5. I would recommend that "the Gold Coast Slave-dealing Abolition Ordinance" should be passed as soon as possible, to be followed by the Proclamation marked A.

6. As a preliminary measure I have already sent to summon the Kings and Chiefs of the western and eastern districts, the former on the 16th of October, and the latter on the 5th of November next, when I propose to explain to them the views and intentions of Her Majesty's Government with regard to slave-dealing and the early abolition of slavery throughout the Protectorate. If this is done without exciting in their minds the fear that the social ties which have held good from time immemorial are to be suddenly rent asunder, the announcement will, in my opinion, be received very much as if they expected it, for there can be no doubt that something of the sort has been for some time and is now expected.

7. In confirmation of this opinion I may inform your Lordship that within the first three weeks after my arrival in the settlement I received applications from no fewer than four Kings of the Protectorate to assist them in recovering run-away slaves, and that on my replying to two of them through their messengers, and to the other two personally, that they were well aware that slavery was repugnant to the Queen, and that if they desired to secure the Queen's favour and protection the word "slave" must never again be mentioned by them in my presence, and that I would on no account interfere to bring back to them persons who desired to leave them. They received my answer with a submissive deference which I could not help feeling augured well for a speedy solution of the slave question on the Gold Coast, and I believe that the applications had only been made to feel their way as to what was to be the action of the Government under a new régime.

8. According to the manner in which the question of domestic slavery is received by the Kings and Chiefs, I would determine whether the "Gold Coast Emancipation Ordinance" and the Proclamation embodying the substance thereof, should be published immediately after the first Proclamation or be postponed for a time; although so important is it, in my opinion, to take advantage of the present time, when recent events are still fresh in the minds of the people, when the recollection of the dangers from which they were delivered by England's power has not yet died away, and before the power of King Coffee Calcalli is so crushed (which is by no means an unlikely contingency) as to give them no further cause for alarm, that I consider that postponement, except for some overpowering reason, would be inadvisable and impolitic.

9. The scheme which is now submitted is in substance identical with that referred to by your Lordship as having been followed by Lord William Bentinck in India with such good results. Although it may, and doubtless would, come into operation in the protected territories of the Gold Coast under circumstances different to those under which in India it was so successful, I am, nevertheless, of opinion that, here also, and more especially at the present time, there are many favourable conditions; and although it would be unwise to neglect due precaution against the risks which may attend the carrying out of such a scheme, there are many reasons

which induce me to believe that, under this scheme, the great end of emancipation may be speedily or almost at once obtained; that nowhere is there presented any obstacle which need be deemed insurmountable, or, indeed, which should involve any serious sacrifice of the interests which it is our duty to guard.

10. Before, however, entering into further detail regarding the operation of this scheme, or the dangers against which precautions should be taken, I venture to offer a few observations regarding those other schemes which your Lordship has been good enough to afford me an opportunity of considering. These involve compensation to the owners of slaves, either at the hands of the Government, or through the purchase by the slaves of their own freedom, either at once or by a gradual process, in which the proceeds of their labour would be accumulated, till the required amount of purchase money would have been made good.

11. As regards compensation by the Government, I am bound to say that I think it is excluded from consideration for one reason, to say nothing of others, viz., that the conditions and materials are wanting which would afford the slightest hope of its being honestly carried out. The numbers of the slave and of the free population, and their relative distribution in different districts, are not known, and as registration and other checks are impossible, I am convinced that claims for compensation, which it would be impossible to disprove, would be repeated again and again for the same individuals.

12. In the same way the recovery of any reimbursement from the manumitted slaves (although on this matter I would lay less stress) by their employment on Government works would, I fear, prove illusory. They would desert whenever more remunerative employment offered, or a love of idleness prompted them; severe punishments would become necessary without being effectual.

13. Similar objections apply to any process of self-redemption, especially when the payment, or the equivalent amount of labour was to extend over any considerable period. From the general absence of education, accounts would be impossible, and innumerable disputes would arise as to whether the amounts fixed as the price of redemption had been paid or not, which it would be impossible to solve.

14. Besides these considerations, it is not to be expected that the slaves in any large numbers would avail themselves of opportunities of self-redemption, and only very slowly would this method operate (if ever it sufficed) to wipe out the reproach of slavery in the Protectorate.

15. With regard to any right in the masters to compensation, without entering into the discussion of a question, which was assumed in the case of the emancipation of the West Indian negroes, it appears to me that the events which have recently occurred have done much, if not all, to obviate the necessity for any such discussion, even if otherwise it might have existed; and I conceive I do not much misinterpret or differ from the views of Her Majesty's Government if I consider that Her Majesty, in the sacrifices she has made in rescuing the owners of slaves—with the rest of the inhabitants of the Protectorate—from defeat and disaster, and from the slavery under a savage and blood-thirsty monarch which was certainly impending over all of them, has already done far more than made compensation for all the interests in their slaves these owners could possibly claim.

16. If the calculation were made between the masters and slaves themselves, it would be found in the majority of the instances that the slave has by his labour already paid the amount of a redemption many times over.

17. Most undoubtedly does this apply to the form of slavery where persons under the name of pawns are placed in servitude for debt. The creditor not only has the services of the pawn, but also a usurious interest on his debt, and as the money for the payment of which a pawn would be accepted as security is of small amount, their labour, even if its value be estimated at a low rate, must in each case suffice to pay up in a few years the debts for which they are pledged. The creditor retains, in addition, the right to recover principal and interest from the debtor, the slave as it were being thrown in as an element independent of interest.

18. To return now to the scheme which I have submitted to your Lordship, no serious difficulties, so far as I can anticipate, will be encountered in carrying out that portion of it at least which enacts the discontinuance of slave-dealing and of the importation of slaves.

19. In this view Captain Lees, Mr. Chalmers, and Dr. Gouldsbury, than whom none are better acquainted with the habits and feelings of the people of the Protectorate, entirely coincide.

20. The sale of domestic slaves within the Protectorate has not at any time, as I

am informed, been a matter of common practice; on the contrary, it is against the best standard of native feeling and is discountenanced by their laws, unless under exceptional circumstances in which it is permitted.

21. Neither does the importation of slaves into the Protectorate for the purpose of being sold take place to any very great extent. The persons who are thus brought in are generally the captives of wars or periodical raids amongst interior tribes, and the very fact of their sale being prohibited may be expected, as removing one of the inducements to desultory warfare, to render such wars less frequent. The provision that all persons so brought into the Protectorate become from that moment free renders purchase but a poor speculation, as the purchaser knows that the person purchased need only remain with him during his pleasure.

22. The cessation of the traffic would not affect any industry, or disturb any established or existing relations.

23. The system of giving pawns for debt is essentially one of detail, and is not likely to enlist any wide-spread sympathy, and I anticipate little difficulty in effecting its abolition. Credit may then, as your Lordship suggests, be less easily obtained; but I agree with your Lordship in thinking that the lessened facility for obtaining credit, and for making improvident bargains, will be a material gain to all concerned.

24. It is undoubtedly in the emancipation of the persons held as domestic slaves, who constitute the permanent slave population, that difficulties may, more probably than in the contest with any of the modes of slave dealing, be encountered, and I proceed to mention such of these as present themselves, most of which indeed have been alluded to by your Lordship.

(1.) I would mention, not as an obstacle to the execution of the scheme, but as an attendant risk—but one which neither myself, Captain Lees, nor Mr. Chalmers, for the reasons which I shall presently mention, consider as wearing any serious aspect—viz., that of poverty and consequent privation amongst the old and infirm slave population from the withdrawal of the support which they could claim as a right from their masters, and which was without question accorded. But the masters, ceasing to have the right to claim the services of their able-bodied slaves, may neither continue to have the will, or in some cases the ability, to give to the old and infirm the support which was customary; and where these are without blood relations it is possible that instances of real suffering might occur, to meet which it may become necessary that the Colony should make some provision.

(2.) A second possible obstacle has also been mentioned by your Lordship, the resistance which may be offered on the part of the masters, and its becoming necessary to inflict punishments upon them for forcible attempts to coerce the obedience of their former slaves.

(3.) It is more than probable that the slaves of the idlest and most disorderly class will be the first to take advantage of their freedom, and as these would not readily obtain maintenance from industrial pursuits, there might be the risk of their joining together in marauding parties to commit robberies on the roads, and in other ways prey upon the more industrious of the population.

(4.) It might be regarded as possible that such industry as already exists in the Protectorate might be arrested, or seriously disturbed, by the severance of the tie which has hitherto held employers and employed together.

25. To these your objections, which I have thought it right to notice, there is, in my opinion, a common answer applicable in varying degrees to all of them, viz., that the changes in the condition and mutual relation of the population will be much less rapid and sudden in fact than in theory might be supposed. Nothing can be more complete than the change which is contemplated, but its actual operation will, in all probability, be gradual.

26. I do not anticipate that the slaves will immediately in any large numbers leave their masters. The influence of habit and established associations, and the difficulty of obtaining a livelihood in other than the accustomed modes, will combine to prevent any general or wide spread exodus. Some of these will succeed in a new mode of life, and will increase the supply of labour in the coast towns; others, perhaps as large a number, will fail, and return to seek again the means of subsistence on their masters' farms or plantations, to talk perhaps of the privations they have undergone in the interval, which would prevent the remainder of the household from making a change until they could clearly see their way to bettering their condition. And again, on the other hand, the knowledge on the masters' part that they have no legal hold over these people may have the effect of securing for them an immunity from any ill-treatment calculated to cause discontent. The former slaves will be

freemen, but from a combination of causes such as the foregoing, it may be expected that in many, in fact in the great majority of instances, they will continue at least for some time to give their labour for an equivalent maintenance, and when the time comes when contracts of hiring shall have become the rule, the risks attendant on emancipation may be considered at an end.

27. A second consideration is that the attachment which the slaves form towards a house or a room, in the prosperity of which their own interests are as much involved as those of their masters, would operate to prevent any sudden severance of the ties to which they have been accustomed.

28. A third consideration is that any irregularity or disturbance which may possibly take place will be matter of detail, and capable, without difficulty, if I anticipate correctly, of being met in detail. Some acts of violence on the part of masters may occur, and crimes may possibly be committed, but with a judicious exercise of the force at my disposal I do not believe that there will be any difficulty in repressing and promptly punishing lawless acts of whatever nature, should any such occur.

29. It might be a formidable contingency if any combination should take place in resistance to the change, as for instance by the masters combining with the slaves, both being misled or in ignorance of its real nature; but combination for resistance, or indeed for any purpose, except by the intervention of a civilized Power, is foreign to the disposition of the people, while the nature of the country itself, and the distance apart and separation of the various Chiefs and tribes interpose obstacles which of themselves they are incapable of surmounting; besides which, the recent expedition has left so strong an impression of Her Majesty's power and resources, that I do not regard any general or organized opposition, even if that might have taken place at some former time, as being now even a possible danger. At some of the larger of the coast towns, prudence will dictate proceeding with circumspection and under certain precautions..

30. Such, my Lord, are the views which, after consulting with Captain Lees and Mr. Chalmers, to both of whom I am much indebted for most valuable information as the result of their experience on the Gold Coast, I have considered it my duty to bring before your Lordship; and if they have not been placed before your Lordship with all the succinctness I should have desired, had time admitted of greater elaboration, I can only assure your Lordship that they have not been arrived at without much careful consideration, and that, should I be fortunate enough to be entrusted by your Lordship to carry out these proposals, no effort or precaution shall be wanting on my part to do so successfully.

31. I will only add that promptitude of action is an all-important element in my calculations of success.

I have, &c.

(Signed) GEO. C. STRAHAN.

The Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Inclosure 1 in No. 5.

An Ordinance to abolish Slave-Dealing in the Protected Territories.

	Title.
WHEREAS it is expedient that effectual measures should be taken for abolishing slave-dealing in the Protected Territories:	Preamble.
Be it therefore enacted by the Governor and Legislative Council of the Gold Coast Colony as follows; viz:—	Enactment.
I. This Ordinance shall come into operation upon and shall thereupon extend and apply to the Gold Coast Colony and the Protected Territories.	Commencement and application of Ordinance.
II. The term "Protected Territories" shall in this Ordinance mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast, wherein the Queen's Majesty has acquired powers and jurisdiction.	Signification in the Ordinance of term "Protected Territories.
III. Slave-dealing is declared unlawful and is hereby prohibited.	Slave-dealing prohibited.
IV. Whosoever shall, or shall attempt to do any of the acts hereinafter mentioned, that is to say—	Offence of slave-dealing defined
1. Deal or trade in, purchase, sell, barter, transfer or take any slave;	

2. Deal or trade in, purchase, sell, barter, transfer, or take any person, in order or so that such person should be held or treated as a slave;

3. Place, or receive, any person in servitude as a pledge or security for debt whether then due and owing, or to be incurred, or contingent, whether under the name of a pawn or by whatever other name such person may be called;

4. Convey or invite any person within the limits of the said Protected Territories in order, or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

5. Convey or send any person out of the limits of the Protected Territories in order, or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

6. Enter into any contract or agreement with or without consideration for accomplishing any of the purposes hereinbefore enumerated;

Shall, and shall be deemed to, have committed the offence of slave-dealing.

V. Whosoever shall aid, assist, counsel, request, order, or procure any other person to commit the offence of slave-dealing shall be deemed and be, guilty of slave-dealing, and may be tried and convicted either as an accessory before the fact to the principal offence or after conviction of the principal offender, or may be indicted and convicted of the substantive offence, whether the principal offender shall or shall not have been previously convicted or shall or shall not be amenable to justice.

VI. Every offence of slave-dealing may be inquired of, tried, determined, and dealt with as if the same had been committed within the Gold Coast Colony, or by the Court of the Judicial Assessor, or by any Superior Court of Justice having in the Protected Territories jurisdiction to try crimes and offences: Provided that the term "Superior Court," for the purposes of this Ordinance, shall include the Courts of such native Kings or Chiefs as the Governor may by his Commission authorize either specially to that effect or generally to try crimes and offences.

VII. Whosoever shall be convicted of slave-dealing shall be liable to be punished by imprisonment with or without hard labour, for a period which may extend to five years, and shall also be liable to be fined either in addition to, or in substitution for, such imprisonment.

VIII. Every person who shall be brought or invited within the Protected Territories from beyond the limits thereof in order or so that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude, or transferred as a pledge or security for debt, shall be and is hereby declared to be a free person.

IX. Every present contract in which it is stipulated or agreed that any person shall be bought or sold or placed in servitude, or be transferred either as a pledge or security for debt, or in any other way shall, so far as regards any such stipulation or agreement be, and is hereby declared to be, wholly and in every particular, null and void; and every future contract which shall contain any such stipulation or agreement, shall be absolutely illegal.

X. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Slave-dealing Abolition Ordinance, 1874."

Inclosure 2 in No. 5.

An Ordinance to provide for the Abolition of Slavery in the Protected Territories.

WHEREAS it is just and expedient to provide for the abolition of slavery and the emancipation of persons holden as slaves within the Protected Territories on the Gold Coast:

Be it therefore enacted by the Governor and Legislative Council of the Gold Coast Colony as follows, viz. :—

I. This Ordinance shall come into operation upon and thereupon shall extend and apply to the Gold Coast Colony and the Protected Territories.

II. The term "Protected Territories" shall in this Ordinance mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast wherein the Queen's Majesty has acquired powers and jurisdiction.

III. Every person who, after shall be born within the Protected Territories, whether of a free or slave mother, shall

be and is hereby declared to be a free person to all intents and purposes. But providing that, except in so far as not inconsistent with this Ordinance and with the Gold Coast Slave-dealing Abolition Ordinance, 1874, nothing herein contained shall be construed to diminish or derogate from the rights and obligations of parents and of children, or from any other rights and obligations arising out of and connected with family and tribal relationship.

saving lawful exceptions.

IV. No Court of Justice, and no native King, Chief, or other native authority shall, in any suit, action, or proceeding, take cognizance so as to give effect to or enforce any right or claim over or affecting the liberty of any person save such rights as under the ordinary rules of English law applicable to the Gold Coast Colony may arise under and by virtue of contracts of service between freemen, or as, without being repugnant to the law of England, may arise out of the parental and tribal relations according to the customary law of the Protected Territories.

No claim affecting liberty to be enforced judicially saving lawful exceptions.

V. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Emancipation Ordinance, 1874."

Short title.

Inclosure 3 in No. 5.

(A.)

Proclamation.

WHEREAS the Queen's Most Excellent Majesty has resolved to abolish slave-dealing in the Protected Territories of the Gold Coast, and the importation thereof of slaves, and also to take measures at such periods as she may deem advisable for the abolition of slavery and the emancipation of persons holden as slaves within the said Protected Territories:

And whereas the Governor and Legislative Council of the Gold Coast Colony have in virtue of the powers vested in them and by Her Majesty's commands enacted an Ordinance bearing date

Now I do hereby proclaim, publish, and make known the said Ordinance to all persons whom it may concern.

And further, in order and to the intent that all the Kings, Chiefs, Headmen, and persons throughout the Protected Territories and elsewhere may the more readily understand and obey the law made and enacted by the said Ordinance, I hereby require everyone to take notice and observe that now and from henceforth:—

It is unlawful to sell, or purchase, or transfer any slave.

It is unlawful to sell, or purchase, or transfer any free person so as to make such person a slave.

It is unlawful to put any person in pawn for or on account of any debt.

It is unlawful to bring any person, whether slave or free, into the Protected Territories from Ashantee or elsewhere in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to take or send any person, whether slave or free, out of the Protected Territories in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to make any contract or agreement for buying or selling, or pawning any person, or for bringing any person into or out of the protected territories to be sold or dealt with as a slave or pawn.

Whosoever offends against any of these laws shall be punished with imprisonment and hard labour, and may also be fined. If in any contract it be agreed that any person shall be put in pawn the whole contract shall be null and void.

And further I do hereby make known to the Kings, Chiefs, Headmen, and all other persons within the protected territories whom it may concern that afterwards and so soon as the Queen's Majesty shall deem it most expedient and conducive to their welfare and prosperity, and shall so command, the Governor and Legislative Council will proceed to make further laws to provide for the total abolition of slavery and emancipation of all persons. But it is not intended by any such laws to force or to offer any inducement to any persons to leave their masters as may be desirous of remaining in their service, and it is intended in all respects to permit the family relations to continue according as used and wont, except only that of slavery and such customs as arise therefrom, and are thereon necessarily dependent.

Inclosure 4 in No. 5.

Sir,

Cape Coast Castle, September 18, 1874.

I HAVE the honour to transmit herewith the drafts of two Ordinances prepared in pursuance of your Excellency's instructions, entitled respectively—

1st. "An Ordinance to abolish slave-dealing in the Protected Territories;" and,

2nd. "An Ordinance to provide for the abolition of slavery in the Protected Territories."

2. By the first of these Ordinances it is intended to prohibit slave-dealing, including in that term the putting persons in pawn, and the importation from Ashantee or elsewhere into the Protectorate of slaves and persons intended to be sold as slaves, and to avoid *in toto* all contracts containing any slave-trading stipulation.

3. The 1st section provides for the application of the Ordinance to the Gold Coast Colony (to which I think it should be declared to apply, offences being triable therein) and the "Protected Territories," which term is defined in the next section; and, when completed, will fix the period for the Ordinance coming into operation.

4. The 2nd section defines, for the purposes of the Ordinance, the term "Protected Territories," which is limited to the territories adjacent to the "Settlement on the Gold Coast," the object of this limitation being to exclude any question concerning the application of the Ordinance to certain territories near Lagos, in which some protection is exercised, but of quite a different character to that at the Gold Coast.

5. By the 3rd section slave-dealing is prohibited.

6. The 4th section defines the offence of slave-dealing, and is intended to strike against the following acts:—

(1.) Selling or buying any slave.

(2.) Selling or buying any person, slave or free.

(3.) Pawning or receiving any person in pawn for debt.

(4.) Bringing any person into the Protectorate to be sold or made a slave.

(5.) Conveying any person out of the Protectorate to be sold or made a slave.

(6.) Making any contract for accomplishing any of the purposes prohibited, and against all forms and varieties of these acts, and against attempts.

7. Under the 5th section, accessories may be tried along with principals, or separately, and whether or not the principal has been convicted or be amenable to justice.

8. The sixth section determines the Courts in which slave-dealing may be tried. Under the first alternative, allowing the offence to be tried as if committed within the Gold Coast Colony, it is intended to leave matters open for summary jurisdiction in minor offences being given to Magistrates and Commandants, major offences being triable in the Supreme Court of the Colony. It seems expedient to declare a jurisdiction also in any Superior Court having jurisdiction within the Protected Territories. The offence may thus be tried before whatever Tribunal may be from time to time for all reasons the most eligible. I think that, for the present, at least, cognizance of the offence should not belong to any Chief's or King's Court as such. It may be expected that their sympathies would be more with the offenders than with the law, and that trials by them would frequently be illusory. Nevertheless, it would generally be very difficult in any case to estimate correctly to what extent such sympathy had operated, or to call the Chiefs to account for wrong decisions, and to exact a strict reckoning in such cases would lead occasionally to the risk of injustice being done, a risk which, for obvious reasons, is especially to be avoided in the working of this measure. To avoid complications, I am therefore convinced it is expedient that trials should only be had under the control of an English Judicial officer, unless where a native Chief has shown himself to such extent worthy of confidence as to receive a commission. Such commissions might, from time to time, be conferred as circumstances pointed out.

9. The 7th section enacts penalties. The maximum would only be applied in aggravated cases or after repeated offences. It has been placed at five years' imprisonment with hard labour. Fines may be imposed in any cases either in addition to or in place of any term of imprisonment. It has been considered expedient to leave the minimum of punishment undefined. It will, I conceive, be requisite carefully to avoid the risk of enlisting popular sympathy with any offender by any punishment that might be excessive.

10. By the 8th section every person brought into the Protected Territories for slave-dealing purposes is declared free.

11. By the 9th section all contracts into which any slave-dealing stipulation enters is avoided in every particular.

12. The second of these Ordinances (which may be passed either simultaneously with or subsequently to the first Ordinance), is intended to put an end to slavery as a legal status.

13. The 1st and 2nd sections are similar to the corresponding sections of the first Ordinance.

14. By the 3rd section every person born in the Protected Territories after a term which remains to be supplied, is declared free; parental and tribal authorities, so far as these would remain legally exerciseable, being saved.

15. By the 4th section it is provided that no Court shall give effect to any right or claim affecting personal liberty other than such rights as by the law of England arise under contracts of service, or consistently with that law, under the parental or tribal relations. It is necessary that the native tribunals should be included in the operation of this section, although not authorized to try the offence of slave-dealing by the former Ordinance, and to obviate any difficulty in construing, I have deemed it right to include the native authority here expressly.

16. The reservation of family and tribal relations in the 3rd and 4th sections it was thought requisite to insert, because from the circumstance of marriages valid by the law of England being almost unknown, the Courts might, in the absence of such a clause, have difficulty in taking cognizance of the natural relations of parent and child, and other similar natural relations, and of the obligations arising therefrom, in which, however, it is desirable they should preserve a jurisdiction. As a matter of policy, also, it seemed inexpedient to make any greater change on the native customary law connected with these relations than the object in view required.

17. It will be observed that, should the provisions of the 4th section become law, the declaration, in the 3rd section, of the freedom of children will operate rather as an announcement of their status, than as conferring upon them any different rights to those which would practically belong to all other persons through the non-enforcement of every claim adverse to liberty.

18. It will also be observed that no declaration is made of the freedom of the slaves now existing, nor are there any penal or prohibitory clauses directed against the holding of slaves. It was considered that the enactment that no claim affecting liberty should receive effect in any Court, as it practically and substantially abolished slavery, was sufficient, and that it was neither necessary nor expedient to insert any clause which might needlessly precipitate the breaking up of existing relations, whilst the character of these relations was, nevertheless, at once essentially changed. The servant is free, and may assert his freedom at any moment by separating from his master. Whilst he refrains from doing so the legal relation between him and his former owner would be simply that of master and servant under a tacit hiring. Should the master attempt to coerce him otherwise than the law of master and servant admits, the Courts would interpose for his liberation, and he would also be entitled to redress for the wrong done to him.

19. The law as to slave-holding would thus, in effect and for practical purposes, be placed upon an equivalent footing to that existing in the United Kingdom, where the holding of slaves was not *eo nomine* excluded by any statute specifically directed against it, but by the common law, as explained in *Sommersett's case*, and ever since acknowledged, with the distinction only, that what was established in England under the common law would be done in the Protected Territories by virtue of the Ordinance.

I have, &c.
(Signed) D. P. CHALMERS.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

No. 6.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 28, 1874.

I HAVE received your despatch of the 19th of September,* in which, after considering mine of the 21st August, you make a proposal for the abolition of slave-dealing and slavery throughout Her Majesty's Protectorate on the Gold Coast.

2. I have considered your recommendations with the care which their importance

* No. 5.

deserves; and in this reply I shall deal chiefly with some points connected with the time and manner most convenient for the enactment and promulgation of the two measures which you have prepared for terminating the institution of slavery; reserving for another despatch my observations on their detailed provisions.

3. Your despatch states very ably and forcibly the conclusions at which you have arrived; and I may here say that those conclusions derive additional weight from the character and experience of the gentlemen by whom you have been assisted in the consideration of this matter, and whose opinions concur with yours.

4. I shall hope to learn that the two meetings in which you designed to gather the general feeling of the Western and Eastern Chiefs and tribes, &c., have passed off satisfactorily and with good results.

5. If their feeling has proved to be such as you anticipated, you may at once proceed to summon the Legislative Council of the Gold Coast and procure the enactment of the Ordinance to abolish slave-dealing, which should be made to take effect after such short interval only as may suffice to ensure its provisions coming to the knowledge of those principally affected by it, and so that the traffic, odious as it is, in which they have been concerned, may not without fair notice to them assume the character of highly criminal offences.

6. The draft Proclamation which accompanied your despatch appears to me to be well suited to attain this object. Copies of it should be widely circulated, accompanied by explanations from trustworthy messengers of Government; and as soon as you have sufficient materials before you, I shall be desirous to receive a full report of the effect produced on the people by this measure.

7. It will in the next place be your duty to form a careful estimate of the whole situation, and judge whether the second Ordinance should be proceeded with in immediate succession to the first.

8. The decision to be taken on this question is a matter of gravity, to which you will give your most earnest attention. At this distance from the scene of action, and necessarily ignorant of many of those local conditions which may greatly affect the precise course to be taken, I cannot prescribe the details. I am happy to think that I can in such a question trust to your judgment and prudence, and I leave the decision of this delicate question with confidence in your hands. On the one hand I am personally anxious for the early completion of the work, and I am aware of the danger of delay. I know that where delays are interposed objections grow up and take shape which would not otherwise be felt or expressed. Sometimes where a great change has to be accomplished the difficulties are less when they are faced all together, and when the break with the past is made complete and instantaneous. The submissive attitude of the people which you report, and the effects on the public mind of the recent British successes, are arguments which tend to the same conclusion. On the other hand, you will have dispassionately to estimate the public temper, to watch for any signs of obstacles, to weigh their value, and to measure the difficulties against your own ability and means to overcome them.

9. If, upon a review of the situation, you can see your way prudently to act, and if, as I think probable, you consider immediate action clearly desirable, then you are not only at liberty, but you have my full sanction and authority, for proceeding with the second measure.

10. In the event of your deciding to take this course, you may rely upon every support that I can give you. I have entered into communication with the Lords Commissioners of the Admiralty, in order to procure for you such moral aid as is to be derived from the presence in the Colonial waters of Her Majesty's naval forces. Sir William Hewett is, as you know, absent at the Cape of Good Hope; but the officer immediately in command of the West African Division has been instructed by their Lordships to proceed to Cape Coast Castle, and to place his services generally at your disposal. Probably the arrangements which have been made may result in the presence of three of Her Majesty's steam-vessels of war at Cape Coast Castle. You will use your own judgment as to the display to be made of any part of this force, having due regard to the interests of the Naval Service generally, and the health of the ships' companies.

11. I propose, also, that the wing of the West India Regiment should remain on the Gold Coast for a further period; and, in the event of an emergency, you can have recourse to the remainder of the regiment, which is at Sierra Leone.

12. I hope, however, that you will not need its aid, but will carry through the measures in which we are now engaged with the ordinary means and resources at the command of the Gold Coast Government.

13. You must look mainly to your own armed force, and you will not only see that it is effective, but you will immediately increase it if you should see cause to think it insufficient for the duties which it will be required to discharge.

14. I have secured two additional officers for the Police, and am seeking the services of a third. I trust that all three officers will leave England by the mail of the 7th of November.

15. The able and experienced officer who has accepted the Collectorship of Customs sails by the steamer which carries this despatch. I trust that his presence will release you from some part of the labours of administration, which, at the present time, occupy an undue share of your attention.

16. I am also in correspondence with other persons of experience on the Coast, with a view to their proceeding temporarily to the Colony, and rendering you special aid at this juncture.

17. It may be convenient that one of these gentlemen should act as Colonial Secretary, and the services of another will be at your disposal for employment in a political capacity amongst the tribes. The officers in question will be appointed to the Council.

18. On this point, and adverting to the 17th paragraph of my despatch Secret of the 20th of August,* I have to observe that you will, no doubt, gather from this despatch that slavery and slave-dealing are subjects in which the Legislative Council of the Gold Coast is not to regard itself as bound by the instruction contained in that paragraph.

19. I have already indicated to you what would, in my opinion, be the proper date for the commencement of the Slave-dealing Ordinance. The date for the commencement of the Slavery Abolition Ordinance is another question. If it cannot be properly brought into force on the 1st of January, and it is found necessary to allow some further postponement of the emancipation, there could be no more fitting date than the Queen's Birthday for granting the boon of liberty to these humble dependents on her clemency and power.

I have, &c.
(Signed) CARNARVON.

No. 7.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 29, 1874.

IN accordance with the intention expressed in my despatch of the 28th instant,* I now proceed to address you on some of the details of the two draft Ordinances which you have prepared for effecting the abolition of slave-dealing and slavery in the Protectorate.

2. First, with regard to the Slave-Dealing Abolition Ordinance, I have to observe that my own opinion would have been in favour of providing a heavier maximum penalty than five years for the offence of slave-dealing; but, having reference to the considerations of local feeling and policy which have doubtless weighed with you, I am prepared to defer to the opinion which you and Mr. Chalmers entertain on the subject. In connection with the same Ordinance, I would suggest that words should be added to the 7th section, providing that, when a fine is inflicted, the offender may be imprisoned till the fine is paid.

3. With regard to the Slavery Abolition Ordinance, it may be convenient to decide that all children born after the date of the commencement of that Ordinance shall be deemed to be free persons. As to the commencement of this Ordinance, I have addressed you in my despatch of the 28th instant.*

4. In the 18th paragraph of his Report, Mr. Chalmers observes that hereafter "should the master attempt to coerce him (the slave) otherwise than the law of master and servant admits, the Courts would interpose for his liberation, and he would also be entitled to redress for the wrong done him."

5. Such interposition on the part of the Courts would, no doubt, be in accordance with the spirit of the Act, but I can conceive it being argued and held that, as this Ordinance does not in terms abolish slavery amongst persons born before the commencement of its operation, the 4th section must be regarded as engrafted on the pre-existing and still-existing system of slavery, and that, while the master's right to the services of the slave is not one which he can judicially enforce against a slave

* No. 6.

who has escaped from his power, yet his right is an existing one, and one which, while it is actually possessed in respect of a slave within his control, may be enforced and regulated as the right of a slave-holder usually is—by personal correction.

While, therefore, I concur in the omission of any formal declaration of emancipation, I would have you consider whether an additional clause should not be inserted enacting that any person hereafter assaulting or coercing another with a view to exacting service or obedience from him as a slave or pawn, shall be guilty of an offence.

I have, &c.
(Signed) CARNARVON.

No. 8.

: Governor Strahan to the Earl of Carnarvon.—(Received November 20, 1874.)

My Lord,

Government House, Cape Coast, October 24, 1874.

IN paragraph 6 of my despatch of the 19th of September,* I informed your Lordship that I had summoned the Kings and Chiefs of the Western Districts to meet me at Cape Coast on the 16th of the present month, and those of the Eastern Districts at Accra on the 5th of November.

2. Although, knowing the dilatory habits of the people of the Western Districts and, therefore, not expecting that they would arrive punctually, I named the 16th of October as the day upon which they should meet me, it was not my intention that so great an interval as that from the 16th of October to 5th of November should elapse between the meetings at Cape Coast and Accra.

3. I was glad, however, to find that my surmises as to want of punctuality were in a great measure incorrect, inasmuch as with two exceptions all the Kings and Chiefs reached Cape Coast on or before the 18th instant, but as the Kings and Chiefs of Eastern and Western Wassaw, who live at a greater distance than the others, have not yet arrived, probably in consequence of the state of the roads after the recent rains, I have postponed the general meeting up to the present time.

4. The interval, however, has not been thrown away, spent as it has been in seeing the Kings and Chiefs separately upon the requirements of their respective districts, and in feeling my way towards an announcement of the changes contemplated with regard to slavery.

5. Should the Wassaw Kings not arrive before the 27th instant, it is my intention, without waiting longer for them, to have a meeting of the other Kings and Chiefs on that day.

6. If the result of this meeting is satisfactory, I propose leaving this on the 4th proximo for Accra, so as to meet the Kings and Chiefs of the Eastern Districts on the 5th, despatching previously to Accra eighty men of the 1st West India Regiment and eighty Houssas, who, along with fifty Houssas from Lagos and thirty Fantee Police already at Accra, will form the defensive force at that place during the stay of the Kings and Chiefs.

7. The force at Cape Coast during this time will consist of 100 men of the 1st West India Regiment, and seventy of the armed Police, of whom forty will be Houssas.

8. As Captain Lees, when I was in consultation with him here on the subject of slavery, expressed a wish to be present at the proposed meeting at Accra, I have made arrangements for his being conveyed from Lagos to Accra along with the detachment of fifty Houssas above referred to about the 3rd or 4th proximo, by one of Her Majesty's gun-vessels.

9. During Captain Lees' absence from Lagos, which is not likely to be beyond a fortnight, I have instructed Mr. Shaw, Acting Collector of Customs to act as Administrator.

I have, &c.
(Signed) GEO. C. STRAHAN, Governor.

No. 9.

Governor Strahan to the Earl of Carnarvon.—(Received November 24, 1874.)

(Telegraphic.)

THE announcement that buying, selling, and pawning of persons is prohibited, and that the relations between master and servant, as existing in England, can alone be recognized or permitted to be enforced, has, this day, been satisfactorily received by the Kings and Chiefs of the Western Districts at Cape Coast.

No. 10.

Governor Strahan to the Earl of Carnarvon.—(Received November 25.)

(Telegraphic.)

Accra, November 5, 1874.

AN announcement similar to that made at Cape Coast on the 3rd instant has been made here, to the Kings and Chiefs of the Eastern Districts, with regard to slavery, and has been received in an equally satisfactory spirit; the result of both meetings is highly satisfactory.

No. 11.

Governor Strahan to the Earl of Carnarvon.—(Received December 3, 1874.)

My Lord,

Government House, Cape Coast, November 3, 1874.

REFERRING to my despatch of the 24th ultimo,* I have the honour to inform your Lordship that I forward by this mail the following message to be transmitted to your Lordship by telegraph from Madeira :—

“The announcement that buying, selling, and pawning of persons is prohibited, and that the relations between master and servant as existing in England can alone be recognized or be permitted to be enforced, has this day been satisfactorily received at Cape Coast by the Kings and Chiefs of the western districts.”

I consider that I cannot do better than forward to your Lordship the statement made to the Kings and Chiefs in the form in which it was given to the interpreter.

Your Lordship will observe that there is no attempt at composition, my object being to place the matter before the interpreter in such language as would be intelligible to him, without which it would, of course, be impossible for him to convey a correct idea to the native mind of what was intended.

At the conclusion of my statement the Kings and Chiefs consulted for a short time, and proposed to reply next day. I informed them that I could not comply with this request, but stated that I had no objection to leaving them alone to consult as to the nature of the reply which they might wish to convey to the Queen. I accordingly retired, and in about an hour afterwards they informed me that they were ready to make their reply, and on re-entering the Palaver hall a deputation representing the Kings and Chiefs came forward, and spoke in the name of the whole assembly as follows :—

“We have heard all that the Governor has said to us; we thank the Queen, and we thank the Governor. We know that the Queen loves us, and has done much good to us, and that the Queen would not desire us to do anything except what was for our good. We have talked over what has been told to us, and agree in what the Governor has said; and we will give up buying slaves.”—(Selling is not a practice with the tribes of the Protectorate, as I have stated in a former despatch.)—“We cannot do otherwise than as the Queen tells us; but we wish to ask what we are to do about the old pawns, and we put the question because many of us have lent money and received pawns. Again, with regard to those who live with us, they are as it were our families. Disagreements sometimes happen between us, yet the difference is talked over, and then we are at one again.”—(Implying that they had not thoroughly understood the course of the future relations between masters and servants.)

I explained that the situation of the old pawns would be similar to that of the

domestic slaves; that it would be optional to the pawns to remain; and that it was in their own hands to secure their doing so; that the loss of the pawn did not imply the loss of the debts for which pawns had been taken, which remained equally valid and recoverable as before. As to the domestic slaves, I went over again the part of my statement on this branch of the subject, and explained to them that no forcible disruption of domestic arrangements was intended, and that it was for themselves to render the situation of their families so happy that there should not be any wish or need for separation.

After this explanation there were expressions of cordial desire to carry out Her Majesty's wishes, followed by enthusiastic cheers for the Queen.

The short interval which must elapse before I leave for Accra has not admitted of anything but a very brief account of this day's proceedings, but I can only say that the result has fully come up to the expectations I had formed.

I leave to-morrow morning for Accra, and as I intend, after the meeting held there, to visit Akropong, Croboe, and the Volta, I have given a letter of instructions to Mr. Chalmers to act as my deputy under the 16th section of the Charter during my absence.

I have, &c.
(Signed) GEO. C. STRAHAN, *Governor.*

Inclosure in No. 11.

I AM pleased to see the Kings and Chiefs.

Most of you are old allies of the Queen. Others of you have been allies of the Queen's friend, the King of the Netherlands.

In times past there have been disputes and disagreements between you. If I speak of this, it is to tell you that these disputes must cease for ever, and that all ill-feeling must be at an end.

You are now all one under the flag of the Queen of England.

The Queen has desired me to see you, and to tell you what are her wishes and the wishes of her people.

I will first speak of the events in your history from which has arisen the close relationship which now exists between Her Majesty and you.

Probably there are few of you who can remember, but all of you have heard and know from your forefathers how your country was troubled in the old times before Sir C. McCarthy came to the Gold Coast, when Osai Tutu Quamina made war upon you, how your armies were defeated, how your women and children were taken captives to Ashantee, how much gold you had to pay as tribute to the King.

You know also that Sir C. McCarthy was sent from England, you know how he pitied your condition, how he worked for you, gave you arms and captains, and led you on to fight with the Ashantees; and although he lost his life in fighting for you, it was through him that the Ashantees were defeated, and Osai Tutu Quamina was forced to make peace, and peace continued through all the rest of Osai Tutu's reign.

I need not speak much of the wars of Quacoe Duah's time, as these brought you no great trouble, although you had been in constant fear and anxiety lest the Ashantees should come to attack your own homes.

But at the beginning of last year the tribes of the Protectorate were invaded by an Ashantee army of 40,000 men, under the command of a General belonging to the King's family.

This army defeated and scattered the armies of the Protectorate, laid the country waste by fire and plunder. This army attempted also to attack the English forts on the coast. It was, of course, easy for the Queen's soldiers who were sent from England, and the soldiers who landed from the ships on the coast, to send the Ashantees back from the forts; but the whole of the Protectorate was at the mercy of the Ashantees as before, and you were helpless; even as your fathers were troubled by Osai Tutu Quamina, so were you, their sons, again troubled by Koffee Kallali. Then the Queen sent one of her Generals with white officers and soldiers from England, and soldiers from the ships to deliver you from ruin.

The General went to attack the Ashantees on one side, and another Captain was sent to attack them on the other. The Queen's General and her Officers and soldiers and sailors fought your battles for you, sent the Ashantees out of your country, beat

them in three large battles, took Coomassie, set fire to it, and made the King agree to a Treaty of Peace.

You were in this way delivered from defeat and misery.

The Queen did this without assistance from you. She sent her ships and troops from England, and spent more gold than there is in Ashantee, Denkerah, Wassaw, and Akim ten times over to carry on the war. Some of her officers and soldiers lost their lives in battle, and some died from sickness.

Now, why do I tell you all these things? Is it to tell you that the Queen wishes you to pay back part of what she has spent for you? Is it to tell you that you must pay her for the freedom from the Ashantee yoke which she has secured for you? Is it to tell you that now she has done so much for you she can do no more, and you must now take care of yourselves? Is it to tell you that now you are once saved from danger you must not look to her any more to assist you? No; all she requires and expects is obedience on your part to her wishes and the wishes of her people in England.

In return for the benefits conferred on you, the Queen requires your willing assistance, as Kings and Chiefs of this country, in putting a stop to a thing which the Queen and her people abhor. It is against a law which no King or Queen who sits upon the throne of England can ever change.

I have pointed out to many of you since I came here, that the English people buy fowls, buy pigs, buy sheep, but they cannot buy or sell men, women, or children. The Queen is determined by every means in her power to put a stop at once to the buying and selling of men, women, and children, whether it is buying and selling slaves within the Protectorate, or bringing persons into the Protectorate to be sold, or sending persons out of the Protectorate to be sold, and she will not permit any man or woman or child to be given away in pawn for debt.

The Queen desires to make you as happy as her own people. This buying and selling and pawning of men, women, and children is wrong, and the Queen knows that any country where this is done cannot be happy.

The Queen does not desire to take any of your people from you—those who live with you, or work for you, and are part of your families. If they are happy and content to live with you as they do now, continuing to do for you what work is required of them and depending upon you for their maintenance and looking to you for other benefits, no change is forced upon them—no family need be broken up; but you must understand that any person who does not wish to continue to live with you in this way cannot be compelled to return to you by any Court, English or native.

The Queen hopes to help you in many ways, and desires to make you, as far as she can, as happy as her people in England or in any part of her dominions; and it is right that I tell you distinctly that if you desire the Queen's protection you must do as she tells you is good for you.

This is the Queen's message, and when the Queen speaks in this way, it is not a thing for doubt, hesitation, or palaver. The Queen expects to hear from you that you are ready to do as she has told you.

I will only say that, without the Queen's money, without the Queen's soldiers, you, Kings and Chiefs, would to-day have been the slaves of a blood-thirsty King. The Queen has paid a great price for your freedom.

You and those dear to you would have been dragged away to form a part of the unhappy thousands who are put to death by a cruel King.

Your homes would have been homes full of slavery.

I see you to-day in the enjoyment of peace and security, and I trust prepared to join me in the prayer—

God save the Queen!

N^o. 12.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, December 4, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 3rd November,* reporting your meeting with the Kings and Chiefs of the Western District at Cape Coast, at which you informed them of the policy about to be adopted

* No. 11.

with respect to the buying, selling, and pawning of slaves and the institution of domestic slavery.

2. I fully approve the terms of your address, which appear to me to have been clear and well chosen, and I learn with much gratification that, after asking and receiving explanations on the subject of the future relations between slave and master, the Kings and Chiefs expressed themselves entirely satisfied.

3. The report of the proceedings furnished to the press, a copy of which I inclose for your information, differed in one material point from your account, and made it to appear that after hearing objections you had consented that no slave could leave his master or mistress unless there was proof of cruelty or maltreatment.

4. Some misapprehension has consequently arisen as to the course taken by you, and as that reported in the press would have been entirely opposed to what has been contemplated, and, indeed, to what your recent telegram as well as your despatch now before me lead me to conclude that you have done, I have not hesitated to assume that I am right in understanding your action to have been in accordance with the inclosed Memorandum, which I have thought it right to make public for the information of those numerous persons in this country who are watching with interest the policy which you appear to have commenced with so much ability and success.

I have, &c.
(Signed) CARNARVON.

Inclosure 1 in No. 12.

Extract from the "Daily Telegraph" of December 3, 1874.

SLAVERY ON THE WEST COAST OF AFRICA.

MESSAGE FROM THE QUEEN.

Cape Coast Castle, November 7.

A MEETING of all the Kings and Chiefs of the western and central positions of the Gold Coast was held at the Castle of Cape Coast, in the Palaver Hall, on the 3rd of November, 1874, when his Excellency Governor Strahan spoke as follows:—

"Kings and Chiefs,—I am pleased to meet you. Most of you present have been old allies of the Queen, and some were allies of His Majesty the King of the Netherlands. In times past there were disputes between you. If I speak of those it is to tell you that all these disputes must cease for ever, and be at an end. Now all of you are under one flag—the flag of England. The Queen desires me to inform you of her wishes and those of her people in England; but before doing so I will first speak of what has transpired in your history, and which has brought about the relations at present existing between you and her Government. Few of you probably can remember how your country was disturbed by Ashantee before Sir Charles M'Carthy's time. King Osai Totoo Quamina made war on you; your armies were defeated, your women and children taken captive to Ashantee, and you had to pay much gold as tribute. You know that then Sir Charles M'Carthy was sent from England; you also know how he pitied your condition, and gave you arms and ammunition, and supported you in every conceivable manner; yet though he lost his life, in the end the Ashantees were defeated, and were forced to retire from your country, and Osai Totoo Quamina was forced to make peace, and you had peace during the remaining years of his reign. I will not say much of what occurred during Quacoo Duah's reign, though you still stood in fear of Ashantee and its might. But at the beginning of last year an army of 40,000 Ashantees invaded your country, under a general who was a member of the Royal Family. This army defeated and scattered your forces, and devastated the country around with fire and with sword. This army attempted to attack the English forts on the coast. Of course it would have been easy for Her Majesty's land and sea forces here to have driven back the enemy, but your country would have still been at their mercy. As your forefathers were scattered and troubled by the Ashantees, so were you by Coffee Kallalli. Then the Queen sent out a General with officers and an army composed of some of her land and sea forces to deliver you from ruin. The General attacked Ashantee on one side, and another Captain on the other. The Queen's General and army fought your battles for you. This force drove the enemy out of your country, followed them into theirs, beat them in three large battles, took Coomassie and burnt it, and forced the King to sign a Treaty. In this way you were relieved from

defeat and misery. The Queen accomplished all this without your assistance. Her Majesty sent out these men in ships from England at a cost ten times greater than all the gold there is in Ashantee, Akim, and Wassaw. Some of these officers and men died in battle, and others from disease. Now, why do I tell you all this? Is it to tell you that the Queen wants you to pay back any portion of the money she has expended for you? Is it to tell you that you must pay for your freedom from Ashantee? Is it to tell you that as she has done so much for you, you must do what you can for yourselves, as she can do no more? Is it to tell you that as she has saved you from your late danger you are to expect no farther protection from her? No. All she requires and expects from you is obedience to her wishes and those of her people in England. In return for these benefits the Queen requests your aid in putting an end to a thing she and her people abhor. This thing is against a law which no King or Queen of England can ever change. I have pointed out to some of you that the English people buy sheep, fowls, and other live stock, but not men, women, and children. The Queen is determined to put a stop at once to the buying and selling of slaves, either within or without the Protectorate, in any shape, degree, or form, and she will allow no person to be taken as a pawn for debt. (This last passage was repeated, with considerable emphasis.) The Queen desires to make you as happy as her own people. This buying, selling, and pawning of men and women and children is wrong, and no country where it exists can be happy. The Queen does not desire to take any of your people from you; those of them who like to work for, and with, and to assist you, can remain with you. If they are happy, and continue to live with you on the same terms as now, no change will be forced upon you; but any person who does not desire to live with you on those terms can leave, and will not be compelled by any Court, British or native, to return to you. The Queen hopes to make you happy in many ways—as happy as those in her other dominions. It is right that I should tell you distinctly that if you desire her protection you must do as she wishes—as she orders. This is the Queen's message. When the Queen speaks in this way it is not a matter for palaver, question, hesitation, or doubt, but she expects obedience and assent. I will only say that, without the Queen's money and troops, you would have been slaves of a blood-thirsty people. The Queen has paid a great price for your freedom. You, and those near and dear to you, would have been dragged hence to form a portion of the thousands who are decapitated and sacrificed by this savage race for their customs. Your homes would have been homes full of misery. I see you to-day enjoying peace, and I call on you all to join with me in the prayer, 'God save the Queen.' My message is delivered."

The Governor ceased speaking, and for a short time the Chiefs were consulting among themselves what answer to give. At last King Edoo, of Mankessim, solicited permission from his Excellency to retire till the next day, so that they (the Kings) might consult together as to the answer they could give. This, however, the Governor refused, and referred them to that portion of his speech or message wherein he had stated that, when the Queen expressed her wishes, it remained only for them to obey; but, if they wished it, he would retire for a short time, and leave them to their deliberations. His Excellency then left the Palaver Hall, and upon his return in about one hour the Kings and Chiefs informed him that they were willing to cease from buying or selling slaves, but raised objection to the slaves being permitted to go free if they chose without there being any cause shown, and likewise to pawns not being allowed. After some discussion, it was decided that no slave could leave his or her master or mistress unless there was proof of cruelty or maltreatment, when such slave would be entitled to his or her freedom; and the question of pawns was settled by the debtor being held liable for the amount that the pawn had been given as security for, and that the amount should be recovered on the pawn leaving. This concluded the meeting in the Castle; but his Excellency invited all the Kings and Chiefs to go over to Government House to drink long life to Her Majesty.

Governor Strahan left for Accra on the 5th, in the gunboat "Ariel."

Messengers from King Kokofoo support the rumour that King Coffee is deposed, and has retired to the villages beyond Coomassie. Quacoo Duah is proposed as his successor.

Inclosure 2 in No. 12.

Extract from the "Times" of December 5, 1874.

SLAVERY ON THE GOLD COAST.

WE have received the following statement from the Colonial Office :—

"Lord Carnarvon, with a view to prevent any misapprehension of the precise position of the measures now being adopted for the abolition of slavery on the Gold Coast, thinks it right that it should be known that, according to Governor Strahan's Report of the last mail, the Kings and Chiefs, after asking and receiving explanations, were fully satisfied with the announcement that any slave who may not wish to continue to live with his master shall not hereafter be compelled to return to him by any Court, English or native.

"It is therefore unnecessary that cruelty or any other cause should be established; and Lord Carnarvon entertains no doubt that, under this declaration, slaves will be entirely free to stay with or to leave their masters, and that any attempt to interfere with this freedom will be effectively punished.

"The proceedings, however, now reported must be looked upon as the first step of a policy which must of necessity be gradual in its development."

No. 13.

Governor Strahan to the Earl of Carnarvon.—(Received December 12.)

My Lord,

Government House, Accra, November 7, 1874.

IN continuation of my despatch of the 3rd instant,* I have the honour to inform your Lordship that I left Cape Coast for this place in Her Majesty's ship "Ariel" on the morning of the 4th instant, taking with me 40 Houssas whom I placed in charge of Dr. Gouldsbury, and arrived here on the afternoon of that day.

2. Here I met Captain Lees who had arrived the previous evening in Her Majesty's ship "Foam" with 50 Houssas from Lagos and Lieutenant Moloney, 1st West India Regiment, who arrived here on the morning of the 1st instant from Cape Coast with 80 West Indian soldiers.

3. As I found on arrival that all the Kings and Chiefs had either arrived at Accra or were known to be within a very short distance of it, I arranged for a meeting at noon of next day, the 5th, when I made a statement almost identical with that made to the Kings and Chiefs of the Western districts; it being necessary to adapt it in certain particulars to the different position of the tribes of the eastern districts from that in which the Fantees were placed in the late invasion, and it being desirable, in my opinion, to embody a paragraph with reference to pawns, which was in substance the reply to the question which was put to me on the subject at the meeting held at Cape Coast as reported in my despatch above referred to.

4. I was further in a position to add a paragraph informing them of the loyal concurrence in the Queen's wishes which had been expressed by the Kings and Chiefs of the western districts.

5. I forward to your Lordship the statement made here *verbatim* as I read it to the interpreters.

6. At the conclusion of my statement they asked leave to consult together, when I replied that I would retire for a time and return to hear what they had to say.

7. In less than half an hour I was informed that they were ready. On re-entering the Hall the King of Accra, who is the acknowledged head of the tribes of the eastern districts, came forward and expressed, on behalf of himself and the other Kings and Chiefs, their readiness to do as the Queen told them.

8. Gesture and manner enter largely into native palaver, and these certainly indicated that what was conveyed through the interpreter was a true exposition of their feelings.

9. I then called for three cheers for the Queen, which were enthusiastically given.

10. After this, as I was desirous of impressing on the minds of those present that the question of slavery was the all-important one upon which I had come to see them, I

* No. 11.

confined myself to saying only a few words on the subject of trade and roads, and to informing them of my intended visit to the interior.

11. The proceedings of the meeting being over, the several Kings and Chiefs were presented to me, and I propose to remain here a few days for the purpose of receiving them separately.

12. The question of slavery is thus settled, as all that is now required is to pass the necessary Ordinances and to punish promptly and firmly any attempt in individual cases to enforce servitude.

13. It is with much pleasure that I have to bring to your Lordship's notice the loyal co-operation which, in considering this important question, I received from Captain Lees, Mr. Chalmers, and Dr. Gouldsbury.

14. Had it not been for the assistance which I received from these officers, than whom none are better acquainted with the habits and feelings of the natives of the Gold Coast, and for the confidence which I placed in their experience and judgment, I could not have approached the subject of emancipation with that degree of confidence as to the result, which would have justified me in undertaking the prompt solution of the question.

15. The value of Mr. Chalmers' services I cannot over estimate, Mr. Chalmers' ability is too well known to your Lordship to require any notice from me, but I desire to record my high appreciation of the cordiality of his co-operation, which, combined with his energy and knowledge of native character, enabled me to deal with this question while the recollection of the late invasion by the Ashantees was still fresh in the minds of the people, and while they still appreciated how much they owed to England.

16. I desire also to bring specially to your Lordship's notice the services of Lieutenant Moloney, 1st West India regiment, the Officer commanding the troops on the Gold Coast, to whom I am much indebted for the spirit in which he entered into my views, during the recent proceedings, and for the admirable manner in which he carried out the precautionary measures which I deemed advisable.

17. My thanks are due to Lieutenant-Commander Walker, R.N., commanding Her Majesty's ship "Foam," and Lieutenant-Commander Churchill, commanding Her Majesty's ship "Ariel," for their cordial co-operation.

18. I cannot close this despatch without informing your Lordship of the assistance which I have received from the Superintendent and members of the Basle Mission, in placing at my disposal the services of competent interpreters.

I have, &c.

(Signed) GEO. C STRAHAN, *Governor.*

Inclosure in No. 13.

I AM pleased to see the Kings and Chiefs.

The Queen has desired me to see you, and to tell you what are Her wishes and the wishes of Her people.

I will first speak of the events in your history from which has arisen the close relationship which now exists between Her Majesty and you.

Probably there are few of you who can remember, but all of you have heard and know, from your forefathers, how your country was troubled in the old times before Sir C. McCarthy came to the Gold Coast; when King Osai Tutu Quamina made war upon you.

You know also that the Queen sent to you officers from England—you know how they worked for you—gave you arms and Captains, and led you on to fight with the Ashantees. It was through them that the Ashantees were defeated, and Osai Tutu Quamina was forced to make peace; and peace continued through all the rest of Osai Tutu's reign.

I need not speak much of the wars of Quacoe Duah's time, as these brought you no great trouble, although you have been in constant fear and anxiety lest the Ashantees should come to attack your own homes.

But at the beginning of last year the tribes of the Protectorate were invaded by an Ashantee army of 40,000 men, under the command of a General belonging to the King's family.

This army defeated and scattered the armies of that part of the Protectorate which was invaded; laid the country waste by fire and plunder. This army attempted also to attack the English forts on the Coast. It was of course easy for the Queen's soldiers,

who were sent from England, and the soldiers who landed from the ships on the Coast to send the Ashantees back from the forts. But the whole of the Protectorate would have been at the mercy of the Ashantees as before, and you would have been helpless; even as your fathers were troubled by Osai Tutu Quamina, so were you, their sons, again troubled by Koffee Kallali. Then the Queen sent one of Her Generals, with officers and soldiers from England, and soldiers from the ships, to deliver you from ruin.

The General went to attack the Ashantees on one side, and another Captain was sent to attack them on the other. The Queen's General and her officers and soldiers and sailors fought your battles for you; sent the Ashantees out of the Protectorate, beat them in three large battles, took Coomassie, set fire to it, and made the King agree to a Treaty of Peace.

You were in this way delivered from defeat and misery.

The Queen did this without assistance from you; she sent her ships and troops from England, and spent more gold than there is in Ashantee, Denkira, Wassaw, and Akim ten times over, to carry on the war. Some of her officers and soldiers lost their lives in battle, and some died from sickness.

You know that the misery which would have come to the Fantees had the Ashantees not been repulsed by British soldiers would have come to you.

Now, why do I tell you all these things? Is it to tell you that the Queen wishes you to pay back part of what she has spent for you? Is it to tell you that you must pay her for the freedom from the Ashantee yoke which she has secured for you? Is it to tell you that, now she has done so much for you, she can do no more and you must now take care of yourselves? Is it to tell you that, now you are once saved from danger, you must not look to her any more to assist you?

No. All she requires and expects is obedience on your part to her wishes and the wishes of her people in England.

In return for the benefits conferred on you, the Queen requires your willing assistance as Kings and Chiefs of this country, in putting a stop to a thing which the Queen and her people abhor. It is against a law which no King or Queen who sits upon the throne of England can ever change.

The English people buy fowls, buy pigs, buy sheep, but they cannot buy or sell men, women, or children. The Queen is determined, by every means in her power, to put a stop at once to the buying and selling of men, women, and children, whether it be buying and selling slaves within the Protectorate, or bringing persons into the Protectorate to be sold, or sending persons out of the Protectorate to be sold; and she will not permit any man, or woman, or child to be given away in pawn for debt.

The Queen desires to make you as happy as her own people. This buying and selling and pawning of men, women, and children is wrong, and the Queen knows that any country where this is done cannot be happy.

The Queen does not desire to take any of your people from you, those who live with you or work for you, and are part of your families. If they are happy and content to live with you as they do now, continuing to do for you what work is required of them, and depending upon you for their maintenance, and looking to you for other benefits, no change is forced upon them, no family need be broken up; but you must understand that any person who does not wish to continue to live with you in this way cannot be compelled to return to you by any Court, English or native.

With reference to pawns whom you may now hold, they will be in the same position as others of your people. They will be free to leave you if they wish to do so, but the loss of the pawn does not involve the loss of the debt. The debt itself is valid and recoverable.

The Queen hopes to help you in many ways, and desires to make you, as far as she can, as happy as her people in England, or in any part of her dominions; and it is right that I tell you distinctly that, if you desire the Queen's protection, you must do as she tells you is good for you.

This is the Queen's message; and when the Queen speaks in this way it is not a thing for doubt, hesitation, or palaver. The Queen expects to hear from you that you are ready to do as she has told you.

I have already given this message to all the Kings and Chiefs of the western districts and I am happy to say that they have given a ready, willing, and loyal concurrence with the Queen's wishes, and I have already sent to the Queen their message. I expect from you the same.

I will only say that, without the Queen's money, without the Queen's soldiers, you, Kings and Chiefs, would to-day have been the slaves of a bloodthirsty King. The Queen has paid a great price for your freedom.

You, and those dear to you, would have been dragged away to form a part of the unhappy thousands who are put to death by a cruel King.

Your homes would have been homes full of misery.

I see you to-day in the enjoyment of peace and security, and, I trust, prepared to join me in the prayer—

God save the Queen !

No. 14.

Governor Strahan to the Earl of Carnarvon.—(Received December 17.)

My Lord,

Government House, Cape Coast, November 21, 1874.

WITH reference to the recent changes which have taken place in the former relations of masters and slaves, it may be satisfactory to your Lordship to learn that the state of the community continues to be perfectly tranquil. The Kings and Chiefs of the Western Districts, who were recently assembled at Cape Coast, have returned to their homes, accepting the new state of things without hesitation.

A few instances have occurred of persons seeking their freedom against adverse claims of their masters. These have been promptly and easily dealt with.

Matters in the Eastern Districts, I am also able to report, are in a quite satisfactory condition.

I have, &c.

(Signed)

D. P. CHALMERS,

Deputy for Governor.

No. 15.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, December 24, 1874.

I HAVE the honour to acknowledge the receipt of your despatch of the 7th of November,* forwarding a copy of your speech to the Kings and Chiefs of the Eastern Districts on the subject of slavery, and reporting the satisfactory manner in which that speech was then received.

2. The question of slavery on the Gold Coast has for many years been a fertile cause of difficulty and reproach to the Government of Great Britain, and, in conveying to you Her Majesty's gracious approval of your proceedings, I desire to express my hearty appreciation of the discretion, no less than of the ability and vigour, with which you have initiated the measures necessary to carry out this great reform. I trust, indeed, that the principal difficulties and risks incident to this great social change may be considered to be now at an end, but I think it right to remind you that in working out these measures in their full details, and in giving such effect to the legislation in view as will bring it home to the natives of the Gold Coast in all its beneficent and humanizing tendencies, the exercise of an untiring prudence and watchfulness will long be necessary. I have every confidence that a work so well begun will be carried through with equal judgment and success.

3. Her Majesty's Government are fully sensible of the able and valuable assistance which you have received from Captain Lees, Mr. Chalmers, and Dr. Gouldsbury, and to which you bear testimony.

4. I have no further instructions to convey to you on the subject of the Slavery Ordinances beyond those contained in my despatch of the 29th of October.† I shall await with interest the receipt of those Ordinances when finally enacted by your Legislative Council.

5. I have caused to be communicated to Mr. Secretary Hardy and the Lords Commissioners of the Admiralty your acknowledgments of the aid which you derived from the co-operation of Lieutenant Moloney and Lieutenant-Commanders Walker and Churchill, together with an expression of my own appreciation of their services.

I have, &c.

(Signed)

CARNARVON.

* No. 13.

† No. 7.

No. 16.

Governor Strahan to the Earl of Carnarvon.—(Received December 28.)

My Lord,

Government House, Cape Coast, November 27, 1874.

REFERRING to your Lordship's despatch of the 28th ultimo,* on the subject of my proposal for the abolition of slave dealing and of slavery, I beg first to thank your Lordship for the expressions of confidence, in which you have committed in so large a measure to my judgment the solution of the question of emancipation throughout Her Majesty's Protectorate on the Gold Coast, and for the cordial support of which I have your assurance.

Your Lordship will have already learned, from my telegrams of the 3rd and 5th instant, and more fully from my despatches of the 3rd and 7th instant,† the satisfactory results of my meetings with the Kings and Chiefs, both of the Western and Eastern Districts of the Protectorate.

In adopting the course of announcing at one and the same time the immediate abolition of slave dealing and of the far more cherished institution of domestic slavery, in was not, as your Lordship will readily understand, without a sense of grave responsibility, that I resolved upon a mode of action which, if it had not been as successful as it has proved, might have interposed difficulties in afterwards approaching the subject. But on a comprehensive estimate of all the materials for decision which presented themselves, I was convinced that it was the one method by which alone this important question could be effectually dealt with, and I felt that so many elements of success were involved in an immediate and complete grappling with the subject in its entirety that I did not hesitate to act in the matter as reported in the despatches above quoted.

I do not intend to trouble your Lordship with any recapitulation of the precautions which were taken against the possibility of failure, or of the many details of arrangement to which I had to give my attention.

Dangers and difficulties are, I am glad to think, now happily surmounted, and it only now remains, by prompt and firm punishment of attempts in individual cases to enforce servitude, to make good the footing which has been obtained in the cause of freedom and humanity.

I may mention that since the promulgation of the scheme several instances have come before Mr. Chalmers, while acting as my deputy, and before myself, in which the right of freedom was asserted on the one hand and readily acquiesced in on the other. These instances are sufficient to show that the change which has taken place in the relations between masters and servants is understood amongst the people, and that it is accepted by the masters.

I intend assembling the Legislative Council on the 30th instant, and enacting the Ordinances for giving legal form to the abolition of slavery.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

No. 17.

Governor Strahan to the Earl of Carnarvon.—(Received December 28.)

My Lord,

Government House, Cape Coast, November 28, 1874.

REFERRING to the last paragraph of my despatch of the 3rd instant,‡ informing your Lordship that I proposed, after the meeting of the Kings and Chiefs of the Eastern District at Accra, to visit Akropong, Eastern Croboe, and the Volta, I have the honour to inform your Lordship that, the meeting having taken place on the 5th, I left Accra on the 12th instant, and visited Abokobi, Abude, Akropong, Odumassie, striking the Volta at Kpong, whence I proceeded down the river to Addah, and, embarking at the mouth of the Volta on board Her Majesty's ship "Foam," on the 25th instant, arrived here on the afternoon of that day.

It will be my duty to address your Lordship at an early date (I hope by next mail) on several important questions upon which, until now, I have neither had the time nor the information necessary to enable me to report.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

* No. 6.

† Nos. 11 and 13.

‡ No. 11.

No. 18.

*Colonial Office to Admiralty.**

Sir,

Downing Street, December 30, 1874.

IN laying before the Lords Commissioners of the Admiralty the accompanying copy of a despatch from the Governor of the Gold Coast† on the subject of the emancipation of the slave population, I am directed by the Earl of Carnarvon to request that you will draw their attention to the 17th paragraph, in which Captain Strahan expresses his appreciation of the assistance which he derived from the presence and co-operation of Lieutenant-Commanders Walker and Churchill. I am to add that Lord Carnarvon fully concurs with Captain Strahan in his estimate of the services of these gentlemen on the occasion.

I am, &c.

(Signed) R. H. MEADE.

No. 19.

Governor Strahan to the Earl of Carnarvon.—(Received January 14, 1875.)

(Telegraphic.)

Government House, Cape Coast, December 27, 1874.

THE statement in the closing part of Reuter's report of the meeting of Kings and Chiefs at Cape Coast Castle, that it was decided that no slave could leave his master unless there was proof of cruelty or maltreatment, is wholly erroneous. The final result precisely corresponded with what is set forth in my statement, namely, that every slave was free, and might assert his freedom by leaving his master if he chose, without assigning cause, although the Government did not intend to compel any one to leave who was happy and content to remain with his master.

The statement regarding pawns is also incorrect. The Chiefs made inquiry whether the right to recover outstanding debts where a pawn had been given in security was lost by reason of the freedom of the pawns. It was explained to them that, although the pawns were at once free, the debt was recoverable as before. Subsequent events have proved that the above was thoroughly understood by all classes.

(Signed)

GEO. C. STRAHAN, *Governor.*

No. 20.

Governor Strahan to the Earl of Carnarvon.—(Received January 21, 1875.)

My Lord,

Government House, Cape Coast, December 27, 1874.

I HAVE the honour to inform your Lordship that I have forwarded the following telegram in reply to your Lordship's despatch of the 4th instant‡:—

"The statement in the closing part of Reuter's report of the meeting of Kings and Chiefs of Cape Coast Castle, that it was decided that no slave could leave his master unless there was proof of cruelty or maltreatment, is wholly erroneous. The final result precisely corresponded with what is set forth in my statement, namely, that every slave was free, and might assert his freedom by leaving his master if he chose, without assigning cause, although the Government did not intend to compel any one to leave who was happy and content to remain with his master.

"The statement regarding pawns is also incorrect. The Chiefs made inquiry whether the right to recover outstanding debts where a pawn had been given in security was lost by reason of the freedom of the pawns. It was explained to them that, although the pawns were at once free, the debt was recoverable as before.

"Subsequent events have proved that the above was thoroughly understood by all classes."

2. From my despatch of the 3rd November,§ in which I communicated to your Lordship an almost verbatim account (taken down by Mr. Chalmers immediately after the meeting, and corroborated a few hours afterwards by the recollection of myself and two others who were present) of what took place between me and the Kings and Chiefs after they had consulted together, your Lordship will have observed that no such question as that of cruelty on the part of the masters being a necessary condition to the freedom of any slave was ever raised, and I can assure your Lordship that the final result

* A similar letter was sent to the War Office respecting the services of Lieutenant Molony, 1st West Indian Regiment.

† No. 13.

‡ No. 12.

§ No. 11.

of the meeting in no way varied from what I had stated to the Kings and Chiefs in addressing them.

3. I informed them, in answer to the question which they put in regard to their domestic slaves, that whilst it was not intended to force any who had been slaves to leave their masters' family who were happy and content to remain, yet that such of them as desired to leave their former masters were at liberty to do so at once or at any time, and that no coercion whatever would be allowed to enforce any claims to servitude.

4. This was thoroughly understood and acquiesced in by the Kings and Chiefs.

5. The statement in the telegram, "the question of pawns was settled by the debtor being held liable for the amount that the pawn had been given as security for, and that the amount should be recovered on the pawn leaving," is also incorrect, although here the error is not of such vital importance as with regard to the condition of the slaves.

6. The fact as it appeared was, that those of the Chiefs who had made loans and taken pawns as security had some misgivings as to the future validity of these debts on the pawns becoming free, and hence, I believe, arose the question put by them as reported in my previous despatch. I explained to them, not that the debt would become recoverable on the pawn leaving, as it is put in the Report, but that whilst the pawns equally with all other persons held in servitude became at once free to go or remain as they chose, the creditor's right to recover the debts in respect of which these pawns had been taken was unaffected by the freedom of the latter. There was a general manifestation of satisfaction on this explanation being given.

7. As illustrating the insufficiency of the data on which Reuter's Report was drawn up, I may mention that I learn from the Agent who transmitted it that he left the meeting immediately on the conclusion of my statement to the Kings and Chiefs and was not afterwards present, and that he derived his account of the incidents which took place after the consultation from the editor of a local newspaper, who also was not present.

8. Although I in no way mean to imply that the erroneous representations of Reuter's Report take their origin in what I am about to state, I may nevertheless inform your Lordship that I am aware that there are persons who, from interested motives, desire that the slave should not come to the full knowledge of the thorough nature of his freedom, and who would not be slow to disseminate the report that only in cases of cruelty or maltreatment would the slave be entitled to his freedom.

9. A most conclusive contradiction, however, of all erroneous representations is afforded in connection with the instances, which have occurred since the meeting, of persons claiming their freedom, coupled with the acquiescence of their former owners. In these cases, which are now somewhat numerous, there has not been a single example in which liberty has been asserted on the ground of maltreatment or cruelty, but on the contrary, it has been asserted and conceded simply in virtue of the new law on the subject, which is understood alike by those who were masters and by those who were slaves to have been instituted by Her Majesty's authority.

I have, &c.

(Signed) GEO. C. STRAHAN

No. 21.

Governor Strahan to the Earl of Carnarvon.—(Received January 21, 1875.)

(Extract.)

Government House, Cape Coast, December 28, 1874.

REFERRING to the last paragraph of my despatch of the 27th ultimo,* in which I informed your Lordship that it was my intention to assemble the Legislative Council on the 30th ultimo to enact the Ordinances for giving legal form to the abolition of slavery, I regret that an attack of illness has prevented me from giving my assent to the Ordinances until this day.

Certified copies of these Ordinances, viz., one entitled an "Ordinance for the Abolition of Slave-dealing," and the other an "Ordinance to provide for the Emancipation of Persons holden in Slavery," are herewith forwarded, together with the opinion of the Queen's Advocate thereon, and the Proclamation relative to their provisions.

Mr. Chalmers' Report, together with his letter of the 18th of September, forwarded in my despatch of the 19th September,† so fully explains the several clauses of the Ordinances, that it is unnecessary that I should make any further comments upon them.

* No. 16.

† No. 5.

I may mention, however, that, although the 5th section of the second Ordinance, when first brought before the Council, was considered superfluous, and, for the reasons stated in Mr. Chalmers' Report, possibly undesirable; yet, on reconsideration, and with the view of disarming adverse criticism in regard to the thoroughness of the measure, I proposed to the Council that the section should be retained, the reasons in favour of its forming part of the Ordinances appearing to outweigh any which might be suggested for omitting it.

I have considered it expedient to bring the Ordinances into immediate operation, being of opinion that as short an interval as possible should elapse during which statutory penalties could not be imposed for instances of slave-dealing or of coercive measures to enforce servitude, inasmuch as, on the prompt punishment of the early cases, should any such occur, much of the success of the scheme must depend.

Inclosure 1 in No. 21.

No. 1, 1874.—GOLD COAST COLONY.

In the thirty-eighth year of the reign of Her Majesty Queen Victoria.

(L.S.) Captain GEORGE CUMINE STRAHAN, *Governor*.

[December 17, 1874.]

At a Legislative Council held at Cape Coast Castle on the seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

An Ordinance to provide for the Abolition of Slave Dealing.

Title.

WHEREAS it is expedient that effectual measures should be taken for abolishing slave dealing;

Preamble.

Be it, therefore, enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows, viz:—

Enactment.

I. This Ordinance shall come into operation upon its being passed by the Legislative Council and assented to by the Governor, and thereupon shall extend and apply to the Gold Coast Colony and the protected territories.

Commencement and application of Ordinance.

II. In this Ordinance the term "protected territories" shall mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast wherein the Queen's Majesty has acquired, or may hereafter acquire, powers and jurisdiction.

Signification of terms.

III. Slave-dealing is hereby declared unlawful and is prohibited.

Slave-dealing prohibited.

IV. Whosoever shall do, or shall attempt to do, any of the acts hereinafter mentioned, that is to say,

Offence of slave-dealing defined.

(1.) Deal or trade in purchase, sell, barter, transfer, or take any slave;

(2.) Deal or trade in purchase, sell, barter, transfer, or take any person in order, or so that such person should be held or treated as a slave;

(3.) Place or receive any person in servitude as a pledge or security for debt whether then due and owing, or to be incurred or contingent, whether under the name of a pawn, or by whatever other name such person may be called or known;

(4.) Convey or induce any person to come within the limits of the protected territories in order, or so that such person shall be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

(5.) Convey or send, or induce, any person to go out of the limits of the protected territories in order, or so, that such person should be dealt or traded in, purchased, sold, bartered, transferred, or become a slave, or be placed in servitude as a pledge or security for debt;

(6.) Enter into any contract or agreement with or without consideration for doing any of the acts, or accomplishing any of the purposes hereinabove enumerated;

shall, and shall be deemed to have committed the offence of slave-dealing.

Accessories to be deemed guilty of principal offence. May be tried with principal offender or separately.

Courts in which offences may be tried.

Punishment conviction.

Persons brought into the Protectorate for slave-dealing purposes to be *ipso facto* free.

Slave dealing contracts void.

Short title.

V. Whosoever shall aid, assist, counsel, request, order or procure any person to commit the offence of slave-dealing shall be deemed and be guilty of slave-dealing, and may be tried and convicted either as an accessory before the fact to the principal offence, or after the conviction of the principal offender, or may be indicted and convicted of the substantive offence, whether the principal offender shall or shall not have been previously convicted, or shall or shall not be amenable to justice.

VI. Every offence of slave-dealing may be inquired of, tried determined, and dealt with, by any court having within the Gold Coast Colony, or the protected territories, competent jurisdiction to try crimes and offences: declaring that the term Court for the purposes of this Ordinance shall include the courts of such native Kings and Chiefs only as the Governor may by his Commission authorise, either specially to try the offence of slave-dealing, or generally to try crimes and offences.

VII. Whosoever shall be convicted of slave-dealing shall be liable to be punished by imprisonment with or without hard labour for a period which may extend to seven years, and shall also be liable to be fined, either in addition to, or in substitution for such imprisonment; and where any fine shall have been imposed, such fine shall be recoverable by distress and sale of the goods and chattels of the party convicted, and in default of sufficient distress, or without proceeding by distress in case the court pronouncing sentence shall so order by imprisonment with or without hard labour for any term not exceeding two years, unless such fine shall be sooner paid.

VIII. Every person who as a slave or otherwise shall be brought, or induced to come, within the Gold Coast Colony or protected territories so, or in order, that such person should be dealt or traded in, sold, purchased, bartered, transferred, or taken, or should become or be a slave, or be placed in servitude, or transferred as a pledge or security for debt shall become and be, and is hereby declared to be, a free person.

IX. Every present contract in which it is stipulated or agreed that any person shall be brought or sold, or placed in servitude, or be transferred either as a pledge or security for debt, or in any other way, shall so far as regards any such stipulation or agreement, be and is hereby declared to be wholly, and in every particular, null and void, and every future contract which shall contain any such stipulation or agreement shall be absolutely illegal.

X. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Slave-Dealing abolition Ordinance 1874."

Passed in the Legislative Council this seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

(Signed) ALFRED MOLONEY,
Clerk of Legislative Council.

I assent to this Ordinance in Her Majesty's name.
(Signed) GEO. C. STRAHAN, *Governor.*

Inclosure 2 in No. 21.

No. 2, 1874.—GOLD COAST COLONY.

In the thirty-eighth year of the reign of Her Majesty Queen Victoria.

(L.S.) Captain GEORGE CUMINE STRAHAN, *Governor.*

[December 17, 1874.]

At a Legislative Council held at Cape Coast Castle, on the seventeenth day of December, in the year of Our Lord one thousand eight hundred and seventy-four.

An Ordinance to provide for the Emancipation of persons holden in Slavery.

WHEREAS divers persons under the native laws of the protected territories on the Gold Coast are or may be holden in slavery, and it is just and expedient to provide for the emancipation of all such persons.

Be it therefore enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows, viz. :—

I. This Ordinance shall come into operation upon its being passed by the Legislative Council and assented to by the Governor, and thereupon shall extend and apply to the Gold Coast Colony and the protected territories.

Title.

Preamble.

Enactment.

Commencement and application of Ordinance.

II. In this Ordinance the term "protected territories" shall mean the countries or territories on the West Coast of Africa, near or adjacent to the Settlement on the Gold Coast, wherein the Queen's Majesty has acquired, or may hereafter acquire, powers and jurisdiction. Signification of terms.

III. All persons who after the 5th day of November, of the year 1874, shall have been or shall be born within the limits to which this Ordinance applies, who under the native laws of the protected territories are, or may be liable to be holden, or but for this Ordinance would or might be, or be liable to be holden in slavery are, and shall be, and are hereby declared free persons to all intents and purposes: but providing that, except in so far as is inconsistent with this Ordinance and with the "Gold Coast slave-dealing abolition Ordinance, 1874," nothing herein contained shall be construed to diminish or derogate from the rights and obligations of parents and of children, or from other rights and obligations, not being repugnant to the law of England, arising out of the family and tribal relations customarily used and observed in the protected territories. Persons born after 5th November, 1874, declared free proviso.

IV. If at any time after this Ordinance shall have come into operation any claim or alleged right over or affecting the liberty of any person shall be made, stated, or brought into controversy, or shall arise, or come in question, whether as a ground or cause of action or by way of plea, answer, demurrer, or defence of, in, or to any suit, action, cause, indictment, information, prosecution, or proceeding, or in any other manner of way whatsoever, then and in every such case, such claim or alleged right shall be deemed and be of no force or validity, and every Court of Justice, Judge, Magistrate, native King, Chief, and other tribunal authority, and person before whom any such claim or alleged right may be made, stated, brought into controversy, or shall arise, or come in question as aforesaid, shall refuse, disallow, discharge, and dismiss the same for all purposes and effects whatsoever: Providing always that this enactment shall not be construed to include or apply to such rights as under the ordinary rules of English law applicable to the Gold Coast Colony may arise under and by virtue of contracts of service between freemen, or as are included and reserved in the last preceding section. No claim affecting liberty to receive effect, saving lawful exceptions.

V. Whosoever shall, by any species of coercion or restraint, compel or attempt to compel the service of any person declared in this or in any other Ordinance of this Colony a free person shall be guilty of an offence punishable in the manner prescribed in the 7th Section of the "Gold Coast Slave-dealing Abolition Ordinance, 1874:" Provided that this enactment shall not be construed to apply to any such coercion as lawfully may be exercised by virtue of such contracts of service as under the ordinary rules of English law applicable to the Gold Coast Colony may be entered into between free persons, or by virtue of such rights as are included and reserved in the 3rd Section of this Ordinance. Compelling service unlawful: penalty.

VI. This Ordinance shall be sufficiently cited for all purposes as the "Gold Coast Emancipation Ordinance, 1874." Short title

Passed in the Legislative Council this seventeenth day of December, in the year of our Lord one thousand eight hundred and seventy-four.

(Signed) ALFRED MOLONEY,
Clerk of Legislative Council.

I assent to this Ordinance in Her Majesty's name.
(Signed) GEO. C. STRAHAN, Governor.

Inclosure 3 in No. 21.

Sir, Cape Coast, December 9, 1874.

I HAVE the honour to transmit the drafts of the Ordinances to abolish slave-dealing, and to provide for the abolition of slavery, which I have carefully revised.

2. The purposes dealt with in the two Ordinances are so thoroughly connected and allied with each other that there appears to be little objection against their being combined in one Ordinance, now that there is no longer any question as to the desirability of bringing the Emancipation Law simultaneously into operation with that prohibiting slave-dealing. There are, however, some reasons of convenience in having separate Ordinances, and upon consideration I have thought it best on the whole that the formal scheme should retain the shape in which it was originally presented.

I.—*Slave-dealing Abolition Ordinance.*

3. The clauses of the Ordinance for the abolition of slave-dealing have not been much altered. I have consequently but little to add regarding the structure of these clauses to the remarks contained in my former report of 18th September last.

4. With reference to the application of the Ordinance to the Gold Coast Colony, as well as to the protected territories, declared by Section I, it is perhaps right to state that it is applied to the Colony for purposes of jurisdiction, as it appeared that, at all events, offences committed outside the limits of the Colony (that is, probably, the whole of the offences that may require to be dealt with) could not be tried in the ordinary Courts of the Colony either under the Consolidation Act of 5 Geo. IV (as altered by the 36 and 37 Victoria, c. 88), or under the 6 and 7 Victoria, c. 98, unless, under the latter Statute, in the case of the accused parties being British subjects. In the possible occurrence, also, of offences within the Colony, as at Lagos, even assuming such to be triable under the Imperial Acts, it was considered desirable, in order to uniformity in the modes of trial and punishment, that the Ordinance should apply to these as well as to offences committed in the protected territories.

5. The operation of the Ordinance has been made to commence from its passing and being assented to by your Excellency. It is for consideration whether some postponement might not be made as regards the penal clauses. As, however, the scope of the measures is already so publicly and widely known, and as the large discretionary powers, which are given regarding the extent of punishments, would allow any offence committed in excusable ignorance (should such a case occur) to be equitably dealt with, it may be questionable whether any such postponement is required.

6. Some alteration has been made in the phraseology of the sixth section.

7. In pursuance of the suggestion contained in Lord Carnarvon's despatch of the 29th October, the maximum period of punishment has been extended from five to seven years.

8. To the seventh section a clause has been added, providing for the recovery of fines by imprisonment. I have thought it well also to give a power of recovering by distress, with alternative imprisonment in case of insufficient distress, allowing the Court also to order imprisonment without proceeding by way of distress, when judged more expedient.

9. In the ninth section I have thought it advisable to declare in more express terms than formerly the avoidance of all contracts which contain any stipulation for a slave-dealing purpose, although only incidental to the principal object of the contract; the wording of this section, as originally drafted, appearing somewhat defective. As regards the total avoidance of this class of contracts, the clause should not have any retrospective operation. I had drafted a clause, in which I proposed even a slightly postponed date for this purpose, but the amended clause which Lord Carnarvon has directed should come in place of the ninth clause, as originally drawn, appears to meet all cases with sufficient exactitude, and is embodied in the draft now forwarded.

II.—*Emancipation Ordinance.*

10. (Section 1.) The application of this, like the Abolition Ordinance, to the Gold Coast Colony, as well as the protected territories, is requisite for bringing the Courts of the Colony within the operation of the fourth section.

11. (a). Section 3. Although the provisions of the fourth Section would suffice to effect the emancipation as regards practical purposes of all persons subject to slavery, I consider, nevertheless, that the third Section should be retained. As an explicit declaration of the manumission of the *post nati* it is thorough-going, whilst it seems impossible that it can be productive of inconvenience of any sort; and it may be expected to have the effect of bringing home to the general apprehension of the population that slavery is not only to become by these laws dormant and of none effect, but also to be extinguished and cease to have any existence amongst them. The date of 5th November, 1874, as a starting point from which all persons thereafter born should be free, is suitable for this reason, amongst others, that the meetings of the Kings and Chiefs which then took place at Cape Coast and Accra, being events of unusual character and importance, afford convenient means of pointing out a period to the native mind in such manner that it can be fixed and borne in memory, for which purpose the association of some outward tangible occurrence is always requisite.

12. (b). After some deliberation I have altered the wording of the enacting part of this Section, declaring the freedom of all persons born within the limits to which this Ordinance is applicable. As regards persons born within the Colony, it might perhaps seem enough to have left their freedom to be secured under the Slavery Abolition Act of 3. and 4. Will. IV. But it appeared to me that the manumitting clause of that Act, (Section 12), which applied to the slaves existing in any of the British Colonies, at the date mentioned in the Act, and their children, could not be taken to apply also to slaves

who at a future time might be found in a territory (as Lagos), which at the date of the Act formed no part of the dominions of the Crown, upon such territory being afterwards acquired by cession. And although it might be held that the Clause abolishing and declaring slavery unlawful throughout the British Colonies applied to Colonies to be acquired after the Act, as well as to those then existing, that would only establish that Lagos should be considered from the date of the cession to have been a free soil, but would not effect the manumission of the slaves then being in the Territory, or who should afterwards come into it from places where slavery was an allowed institution; although of course nothing could have lawfully been done inconsistent with the freedom of such persons while within Lagos. Having regard to the fourth Clause of the Ordinance, it is probably impossible that any question concerning the status of persons born in Lagos should ever arise. I have, nevertheless, thought it well to use an expression which would certainly exclude any such question, and which in other respects did not seem open to objection.

13 *a*. Sections 4 and 5. I have prepared for consideration, in accordance with the suggestion in the sixth paragraph of the Earl of Carnarvon's despatch, an additional Section which might conveniently stand as Section 5; declaring it a punishable offence to coerce any person for the purpose of exacting service, except so far as may be lawful under contracts and other allowed relations. Whilst deferring with every submission to the view expressed by his Lordship with reference to the introduction of a Clause of this nature, I may be permitted to state that it was not by oversight that I did not insert any such in my original Draft. It appeared to me that having excluded the relation of master and slave from receiving judicial recognition or effect, although not providing for the punishment of persons attempting forcibly to maintain it in particular instances, not only was virtual emancipation secured for all, but also active legal redress to any person against whom coercive measures might be used to compel servitude.

14 *b*. Take, as example, the case of a slave being desirous of leaving his master's kroom for the purpose of joining his own relations in some distant part of the country; if the master should seek an order from any Court to restrain his slave from leaving him, the ground of the master's proceeding being an alleged right which the Court did not recognise, it would as a matter of course refuse to grant the order of restraint; and thus far the slave would be free to go wherever he chose. Suppose that the master should then himself adopt coercive measures for the retention of his slave by imprisoning, putting him in log, or possibly administering a flogging as a punishment and deterrent. If now the slave should institute a prosecution or action for the assault and false imprisonment, and the master should plead thereto that the plaintiff was his slave, and that he assaulted or imprisoned him in exercise of his right as a master to enforce his slave's obedience, the Court would hold, if I rightly conceive, that it could not under the Ordinance sustain the alleged right as a valid plea in justification, and would proceed to award to the plaintiff such redress as the Law gave for the wrongs he had sustained irrespectively of any reference to the attempted justification which it had overruled; and so I apprehend the Courts would properly hold in every instance where a right as slaveholder was set up in justification of any Act which but for such right would not be justifiable.

15 *c*. On the other hand, I was disposed to think that the express enactment of penalties specially directed against the coercive acts of the masters, was not free from a certain degree of objection as having the tendency when perhaps not thoroughly understood by them, to cause an apprehensive dread of being liable to be overtaken by punishment from the mere fact of their former slaves remaining in their households, and thus to induce a more precipitate breaking up of existing relations than would be at present for the advantage of any of the parties concerned.

16 *d*. In case your Excellency should consider that such objections as this apply to a penalties' clause in this Ordinance, and that they are serious in their nature, I have made the fourth clause more comprehensive in its terms, declaring expressly that no alleged right affecting liberty shall receive effect, whether brought forward for the enforcement as a ground of action, or by way of plea, demurrer, answer, or defence, in any proceeding, in the view of its being considered whether in this form it does not sufficiently open the way for the employment of the ordinary provisions of law, for the punishment or repression of any attempts at undue coercion. In any event the clause as revised may, I think, be advantageously substituted for the former one.

17. It has been considered whether it would be desirable to introduce any clauses in this Ordinance prescribing methods by which the former masters and slaves might, either by express contract, or in any other way which might be declared equivalent to contract, engraft upon their former relation the new one of masters and servants under

the provisions of English law. But it has been thought that whilst such clauses are unnecessary, inasmuch as without special legislation it is quite competent for any persons to constitute the relation of masters and servants who agree to do so, their publication along with, or incorporated in this Ordinance, might not improbably have the effect of unsettling and introducing needless anxieties in the minds of the people, inducing the belief that there was necessity for immediately changing the method of their lives and entering upon a new system. It is believed that the more the vital and essential change which has been effected upon the nature of the old relations shall be left to its own adjustment, as regards its operation upon the arrangements and habits now actually existing, the less reason will there be to apprehend the period of transition being attended with evils and inconveniences.

I have, &c.
(Signed) D. P. CHALMERS.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

Inclosure 4 in No. 21.

Proclamation.

By his Excellency George Cumine Strahan, Captain Royal Artillery, Governor and Commander-in-chief of the Gold Coast Colony.

(L.S.) GEORGE CUMINE STRAHAN, *Captain Royal Artillery, Governor.*

WHEREAS the Queen's Most Excellent Majesty has resolved to abolish slave-dealing in Her Protectorate of the Gold Coast and the importation thereinto of slaves and persons intended to be dealt with as slaves and also to provide for the emancipation of persons holden as slaves within the said Protectorate:

And whereas the Governor and Legislative Council of the Gold Coast Colony have by Her Majesty's commands enacted an Ordinance bearing date 17th December, 1874, by which all selling, buying, or dealing in slaves is declared unlawful, and is absolutely and for ever abolished, prohibited, and made penal, and another Ordinance also bearing date 17th December, 1874, providing for the emancipation of persons holden in slavery.

Now I do hereby proclaim, publish, and make known the said Ordinances to all persons whom it may concern.

And further, in order and to the intent that all the Kings, Chiefs, Headmen, and other persons throughout the aforesaid Protectorate and elsewhere may the more readily understand and obey the laws now made and enacted, I hereby require every person to take notice and observe that now and from henceforth

It is unlawful to sell or purchase or transfer or take any person as a slave.

It is unlawful to sell or purchase or transfer or take any person so as to make such person a slave.

It is unlawful to put or take any person in pawn for or on account of any debt.

It is unlawful to bring any person, whether slave or free, into the Protected Territories from Ashantee or elsewhere in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to take or send any person out of the Protected Territories in order that such person should be sold or dealt with as a slave or pawn.

It is unlawful to make any contract or agreement for buying, selling, or pawning any person, or for bringing any person into or out of the Protected Territories to be sold or dealt with as a slave or pawn.

It is unlawful that any King, Chief, Headman, or other person should, in any palaver, or by any means whatsoever, force or constrain any person for the purpose of compelling him to remain at any place or serve any master contrary to the will of such person.

Whosoever offends against any of these laws shall be punished with imprisonment and hard labour and may also be fined.

If in any contract hereafter made it should be agreed that any person shall be put in pawn, or bought or sold or transferred, the whole contract shall be null and void.

And further, let all persons whom it may concern take notice that all children who, after the 5th day of November, 1874, have been or shall be born in the Protectorate, have been declared free. But it is not intended by any of the aforesaid laws, or other-

wise, to offer inducement to any persons to leave any master in whose service they may be desirous of remaining, or to forsake the krooms where they have been accustomed to inhabit, and that it is intended to permit the family and tribal relations to continue in all respects according as used and wont except only that of slavery and such customs as arise therefrom and are thereon necessarily dependent.

Given at Government House, Cape Coast Castle, this 17th day of December in the year of Our Lord, 1874, and of Her Majesty's Reign the 38th.

By command,
(Signed) W. OWEN LANYON,
Acting Colonial Secretary.

God save the Queen!

No. 22.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, January 22, 1875.

I HAVE received your despatch of the 27th ultimo,* answering mine of the 4th ultimo, in which I drew your attention to the apparently erroneous statement in the London newspapers of the result of the palaver with the Kings and Chiefs on the 3rd November.

I consider your explanation to be quite satisfactory.

I have, &c.
(Signed) CARNARVON.

* No. 20.

CORRESPONDENCE relating to the Queen's
Jurisdiction on the Gold Coast and
the Abolition of Slavery within the
Protectorate.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 6, 1875.*

LONDON:

PRINTED BY HARRISON AND SONS.

CORRESPONDENCE

RELATING TO THE

AFFAIRS OF THE GOLD COAST.

*Presented to both Houses of Parliament by Command of Her Majesty.
February 5, 1875.*

LONDON:

PRINTED BY HARRISON AND SONS,

[C.—1140.] Price 1s. 9d.

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Correspondence relating to the Affairs of the Gold Coast.

No. 1.

Mr. FitzGerald to the Earl of Kimberley.

*"African Times" Office, 121, Fleet Street, E.C.,
July 15, 1873.*

My Lord,

I HAVE the honour to inclose copies of two communications received by me per "Senegal" from J. A. de Vier and Samuel Davis, detailing losses sustained by these my correspondents owing to the destruction of Elmina by Her Majesty's land and naval forces on the 13th June, without any previous notice given to British subjects and others having property in the town to remove the same or take other measures for its safe custody. My correspondents believed themselves and their property to be in perfect safety under the protection of a fort garrisoned by Her Majesty's troops, and could never have supposed that it would be there destroyed and imperilled by the garrison of that fort and Her Majesty's ships of war without adequate previous warning.

It will be within your Lordship's knowledge that the Proclamation placing Elmina under military law was only signed at Cape Coast on the 12th June; that it did not reach Elmina until early on the 13th June; that the Commander of Her Majesty's troops ordered the disaffected people at Elmina to deliver up their arms before 9 o'clock A.M.; and that this not having been done the town was set on fire by Her Majesty's forces and bombarded; and that the pillage of unconsumed property (which was not in any way protected by Her Majesty's troops, although the Ashantees and disaffected Elminas had been defeated and driven away) took place on the same night.

It is, therefore, indisputable that my correspondents had no sufficient warning to remove their property, or opportunity of removing it.

Under these circumstances, and more especially as your Lordship is reported to have said last night in the House of Lords, "It is to be regretted that such a step should have become necessary in a case where there was only suspicion; but it had been thought desirable not only in consequence of the reason I have just stated, but also from sanitary considerations," I have the honour to bring under your Lordship's notice the sad case of these my two correspondents, who have lost all their property as above-mentioned, and to solicit compensation from Her Majesty's Government to the amount of the loss they have thus sustained.

I have the honour further to solicit that if practicable I may receive your Lordship's reply to this urgent solicitation, not later than the morning of the 17th instant, so as to afford me the opportunity of forwarding your Lordship's reply to my suffering correspondents by the mail steamer leaving Liverpool on the 18th instant.

I have, &c.

(Signed) J. FITZGERALD,
Editor of the "African Times."

Inclosure 1 in No. 1.

Dear Sir,

Elmina, June 20, 1873.

ON the 13th instant the English Government has bombarded the Elmina town, and we have lost our property. I lost 8 puncheons and 3 barrels palm oil, in which I am always expecting mail from Cape Coast to Elmina in order to ship in your address.

All gone, besides my money, &c. Am now too much poor. I have no single shirt or trowsers to wear at all. Nothing more to say because am so dull that I can do nothing at present, and oblige.

I have, &c.
(Signed) J. A. DE VIER.

J. FitzGerald, Esq.,
London.

Inclosure 2 in No. 1.

Dear Sir,

Cape Coast, June 20, 1873.

As I anticipated, the bombardment of Elmina has affected me considerably. My stores up there have been plundered of every thing in them, and my furniture and other property there also carried off. This has ruined me, as I have lost by this, property and goods, considerably over 1,000*l*. I am unable just at present to state the exact amount, as my books and accounts up there were likewise taken away.

(Signed) SAMUEL DAVIS.

J. FitzGerald, Esq.,
London.

No. 2.

Colonial Office to Mr. FitzGerald.

Sir,

Downing Street, July 17, 1873.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 15th instant, on the subject of losses sustained by Messrs. J. A. De Vier and Samuel Davis owing to the destruction of a portion of Elmina by Her Majesty's forces on the 13th ultimo.

In reply, I am to acquaint you that Her Majesty's Government cannot admit any liability on their part to compensate the persons to whom you refer, however much they may regret the losses which those persons may have sustained from the measures which it was necessary to take for the protection of the forts.

I am to add that the passage quoted by you from the report of Lord Kimberley's answer in the House of Lords is incorrect, as his Lordship did not say that it was "a case where there was only suspicion," nor did he intend to convey the meaning that the step was taken on sanitary grounds, although the removal of the town will be, his Lordship is informed, advantageous in a sanitary point of view to the fortress. The grounds upon which the British authorities acted are stated in the despatches which have been published.

I am, &c.
(Signed) H. T. HOLLAND.

No. 3.

Mr. FitzGerald to Colonial Office.

"African Times" Office, 121, Fleet Street, E.C.,
July 18, 1873.

My Lord,

I HAVE the honour to acknowledge the receipt of Mr. Holland's letter of the 17th instant,* and to thank your Lordship for so prompt a reply to mine of the 15th instant.

In this reply your Lordship informs me that Her Majesty's Government cannot admit any liability to compensate the merchants and traders whose property has been destroyed in and through the bombardment of Elmina.

I shall confine myself at this moment to an expression of deep regret at such a decision on the part of Her Majesty's Government, and of my sanguine hope that they will reverse it after a more mature consideration of the facts connected with the said bombardment.

Your Lordship further informs me that the passage quoted by me from the report of your Lordship's speech in the House of Lords "is incorrect." I beg leave respectfully to state that I quoted word for word from the "Times" with the exception of change of pronouns.

Your Lordship also informs me that you did not intend to convey the meaning that "the step" (the bombardment) "was taken on sanitary grounds though it may prove advantageous in a sanitary point of view," but that "the ground on which the British authorities acted are stated in the despatches" that have been published.

I beg leave to state that I had attentively read those despatches before applying to your Lordship by my letter of the 15th for compensation to my correspondents whose property was destroyed and plundered; and it was because I did not find in those despatches any one plea of that military necessity which to my mind could alone justify such a proceeding, that I was strengthened in what seems to have been an error on my part, viz., that your Lordship's speech had been faithfully reported and correctly understood.

Referred thus by your Lordship to Colonel Festing's despatch, I have again perused it, and again fail to find any plea of absolute military necessity such as alone ought to be put forward as an argument against liability on the part of Her Majesty's Government for the losses in question.

The despatch states that at a Council at Cape Coast it was resolved that martial law should be proclaimed at Elmina; that Colonel Festing returned to Elmina with the necessary document (which is given at length in the "Gazette" of the 15th instant); that at 3.30 A.M. on the 13th June he caused the disaffected quarter to be surrounded; that martial law was proclaimed, and that orders were issued to take all arms, but otherwise to molest no one.

Nothing can be more evident than that in all this the disarmament of the people, and not the destruction of the place, was the professed object in view.

The despatch proceeds to state that, to bring matters to a crisis one hour was given to the people to send in the arms or to have their town destroyed; that the arms not having been brought in, and "wishing to leave no stone unturned," to invite them, if possible, to listen to reason and to become loyal and obedient people, a further half-hour was allowed; and that at the expiration of that time they opened fire upon the town and destroyed it. And here the despatch ends in so far as the destruction of Elmina is concerned.

I trust I may be permitted to remark that it seems to me the greatest living casuist would have difficulty in construing from this despatch which I have fully quoted in every essential point, that the destruction of the town was determined on as a necessary measure for the protection of the forts, which were not besieged; and of danger to which from the neighbouring enemy not the slightest pretext is advanced. The fact, as it stands out in the despatch, is that some of the people of Elmina had been tampering with the Ashantees, against whom be it observed Her Majesty's Government had never yet declared war; that the British authorities claimed a right to the loyalty and obedience of those people; that finding them to be disobedient recourse was had to threats of punishment, and that finally, as the penalty of disloyalty and disobedience in a portion of the people, the town was destroyed. It is, I think, impossible to put any other fair construction on this despatch. The town was destroyed, not because the destruction was a measure necessary for the protection of the forts, but because a portion of the people were disobedient and disloyal. In, and as a consequence of this mode of punishing disloyalty, the property of innocent and loyal traders was plundered and destroyed; and it is for the losses thus sustained that I have put forward the claim for compensation, no sufficient notice having been given or necessary time allowed for loyal subjects to remove their property from among the disobedient people.

Your Lordship appeals to the despatch in question, in justification of the decision of Her Majesty's Government not to admit such claim for compensation on the ground that this despatch establishes as a fact that the act which gave rise to such claim was necessary for the protection of the forts. I beg leave respectfully to maintain that the despatch neither declares nor even insinuates that any such necessity existed; and I can well understand that a brave British commander would shrink from asserting or insinuating that such a measure could possibly be necessary for the defence of such a fort as the castle of St. George d'Elmina, armed, and ready to be defended by the guns and crews of several British ships of war and a sufficient garrison (the despatch proving that from 500 to 600 men were subsequently brought into the field), against a possible demonstration or attack of naked savages, armed only with guns of the most

inferior description, without artillery, rockets, or any effective war material for attacking a fortification defended as above mentioned.

In justice, therefore, to men who have been ruined (unless they obtain compensation) by the mode of punishing alleged disloyalty and disobedience adopted on this occasion at Elmina, I beg leave to solicit a reconsideration by Her Majesty's Government of the claim to compensation thus put forward on their behalf.

I have, &c.

(Signed) J. FITZGERALD,
Editor of the "African Times."

No. 4.

Colonial Office to Mr. FitzGerald.

Sir,

Downing Street, July 23, 1873.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 18th instant,* and to acquaint you in reply that his Lordship sees no reason to modify the views expressed in my letter of the 17th instant.†

I am, &c.

(Signed) H. T. HOLLAND.

No. 5.

The Earl of Carnarvon to Governor Berkeley, Captain Lees, and Captain Strahan.

(Extract.)

Downing Street, May 15, 1874.

AS the early departure of the mail prevents me from addressing you at any length on the important questions connected with the future administration of affairs in the West Africa Settlements, with respect to which I made a general statement to the House of Lords on Tuesday last, I inclose for your information a copy of the "Times" report of that statement.

I shall have occasion hereafter to explain to you more particularly some of the principal features of the policy which Her Majesty's Government propose to adopt, and in the mean time I request that you will understand that the Report now transmitted to you is in the nature of an abstract of the statement made, but it may be taken as giving a general view of what is contemplated.

No. 6.

The Officer Administering the Government to the Earl of Carnarvon.—(Received May 18.)

My Lord,

Government House, Cape Coast, April 18, 1874.

IT was my intention to have waited the return of Mr. Marshall, the Chief Magistrate and Judicial Assessor of these Settlements, before submitting for your Lordship's information the inclosed copies of a correspondence I have had with him on the subjects of the gross abuse of the powers hitherto exercised by King Taki, of Accra, of holding Native Courts, and committing persons to his own prison; and of the fact that a Mr. George F. Cleland, who is at present a Justice of the Peace, also holds a Native Court of his own; but as I now consider the questions raised by the Chief Magistrate to be of importance, especially at the present time, I feel that they should be without delay brought to your Lordship's notice. I find by a letter, copy here inclosed, that Mr. Cleland was appointed a Justice of the Peace by Major-General Sir Garnet Wolseley the latter part of last year, on the recommendation of Mr. Goldsworthy, the then Acting Civil Commandant of Accra. As soon as I shall have conferred with the Chief Magistrate on his return, I will communicate further on these matters.

I have, &c.

(Signed) WILLIAM W. W. JOHNSTON,
Lieutenant-Colonel, Administrator.

Inclosure 1 in No. 6.

Sir,

Accra, April 9, 1874.

I BEG to bring before your notice a matter in which I feel at considerable loss how to act.

One of the principal and most influential native Chiefs, Mr. George F. Cleland, has been appointed a Justice of the Peace for this district. This office belongs to the purely English Court, giving him jurisdiction over British subjects; and I am inclined to think can only be held and exercised by a British subject, and if Mr. Cleland is a British subject he becomes amenable to the British law. But as I believe the complication can only exist on the Gold Coast I have nothing to guide me in the matter, and therefore request your Excellency to give me instructions in the matter, or to obtain them for me from the Colonial Office.

What I feel at present to be the most difficult point in the matter is that Mr. Cleland, as a native Chief, holds a Court of his own in Accra, which, I believe, is more resorted to than any of the other native Courts. A British Justice of the Peace cannot possibly be allowed to do this; and I feel the more difficulty in knowing how to act as I have considered it right to quash the proceedings of two English Justices of the Peace, Mr. Goldsworthy and Mr. Crocker, in holding an unauthorized Court of Petty Sessions at Addah Foah, where they sentenced a man to two months' imprisonment with hard labour, and established a prison for his reception there, where he still is.

Mr. Cleland is a most useful and respectable man, and his being made a magistrate inflicts a very serious loss on the jury list, where he was of the greatest use. I have no wish to do anything that would injure or annoy him, and therefore shall take no steps in the matter until I receive instructions from your Excellency as to whether the two offices of a native Chief and a British magistrate can be combined in this same person.

I wish also to bring under your Excellency's notice the power of imprisonment exercised by the native chiefs of Accra. I do not desire in any way to interfere with or to weaken the authority of the Kings and Chiefs, but King Taki of Accra possesses and uses a prison or cell which is perfectly horrible and disgraceful. It is a small dark room in a filthy condition, frequented by reptiles, and into this he thrusts whomever he chooses. More than this, it came out in a case I heard yesterday that in King Taki's absence some of his people are always ready to thrust unlucky people brought before them into this place. The instance that came before me was of a young man who was brought to these persons by his employer, Mr. Fearon, a native merchant, for a paltry debt of a few shillings, which was really incurred by a sister of his, and he was kept in this horrid prison for eight days. In this instance I have no hesitation in inquiring into, and, if necessary, in taking immediate action to punish so gross an outrage by utterly unauthorized persons, and by a man in Mr. Fearon's position; but I think the relations of the British Government with the native Chiefs in the matter of imprisonment should now be more clearly defined, especially in places like Accra, where the British Courts sit. This power of imprisonment is now, I believe, abolished in Cape Coast.

I have, &c.

(Signed)

JAMES MARSHALL,

Chief Magistrate and Judicial Assessor.

His Excellency Lieutenant-Colonel Johnston,
Government House, Cape Coast.

Inclosure 2 in No. 6.

Sir,

Accra, April 9, 1874.

I HAVE the honour to inform you that I have inquired into the case of imprisonment in King Taki's prison, and find the facts are very much in accordance with those stated in my letter of this morning. I have told Mr. Fearon and two men of King Taki's household, who heard the case brought by Mr. Fearon before them, and who, with Mr. Fearon's consent and approval, put the youth into the prison, that my decision was to inflict severe fines for this outrage, with imprisonment without hard labour until the fines were paid. At the same time, I added, this was a matter I felt bound specially to report to your Excellency, and that I would therefore not enforce my decision until I had received instructions from your Excellency, and received your approval for what I had done.

I may add that I have received more evidence to prove the disgraceful state of King Taki's prison, and that persons thrust in there are not allowed to come out even for the purposes of nature.

The fine I intended to inflict on Mr. Fearon, should your Excellency approve of my interference in the matter, is 10*l.*, and 5*l.* on each of King Taki's men, but I have not yet stated this to the parties.

At my request Mr. James Bannerman has examined Mason, and I beg to forward to your Excellency the statement he has drawn up.

I intend to visit the prison myself this afternoon, but as the mail is in I have to send off this letter in a hurried manner. Mr. Fearon appears to be a native of Sierra Leone, and therefore a British subject, which makes the matter all the worse as against him.

I have, &c.

(Signed) JAMES MARSHALL,
Chief Magistrate and Judicial Assessor.

His Excellency Lieutenant-Colonel Johnston,
Government House, Cape Coast.

Inclosure 3 in No. 6.

Joe Mason's Case.

IN November last, Joe Mason, a native of Anamaboe, was employed by Mr. Fearon, a native of Sierra Leone, trading in Accra, at a monthly salary of 13*s.* 6*d.* He was placed in Mr. Fearon's store with 150*l.* worth of goods to sell by retail. On the 3rd February Mr. Fearon took stock and told Mason that there was a deficiency of 12*l.* in the value of the goods; Mason explained that the deficiency had been caused and could be accounted for by outstanding debts that were due to him, and that if sufficient time were allowed him he would be able to make good the deficiency. Mr. Fearon declared that he would have his money on the spot, and detained him (Mason) prisoner in his house for three hours, at the expiration of which time Mason was taken to a dungeon in King Taki's house under charge of a person who called himself King Taki's gaoler. Mason was kept in close confinement in this dungeon for eight days in handcuffs without any food but what his sister could give him by stealth through a small opening above the door. There was no window to the place. Mason during these twelve days was compelled to perform the functions of nature on the spot, and the room in which he was confined was never once cleaned during the period of his imprisonment.

This evidence was gathered at my request by Mr. James Bannerman.

(Signed) JAMES MARSHALL.

Inclosure 4 in No. 6.

Sir,

Government House, Cape Coast, April 12, 1874.

I HAVE to acknowledge receipt of your communication on the subject of King Taki's gaol at Accra, and the imprisonment therein of a youth named Mason by two of King Taki's people at the instance of a Mr. Fearon, a native merchant and a British subject, during the absence of the King and without his authority.

Under the circumstances stated by you, I fell reluctant not to support you in the course you have adopted, and sanction at your request the infliction of fines, which in my opinion should be such as would be paid without having recourse to the alternative of imprisonment.

I am of opinion that in questions of this nature the Administrator cannot but be entirely guided by the Law Officer.

The question as to the extent of King Taki's jurisdiction I will submit to the Right Honourable the Secretary of State for the Colonies.

I have, &c.

(Signed) WILLIAM W. W. JOHNSTON, *Lieutenant-Colonel,*
Administrator.

His Honour the Chief Magistrate and Judicial Assessor,
&c. &c. &c.,
of Gold Coast Settlement, now at Accra.

Inclosure 5 in No. 6.

Sir,

Accra, April 15, 1874.

I HAVE the honour to forward, for your Excellency's consideration, the Report of a trial held by me in the Judicial Assessor's Court, which enabled me to hold a thorough inquiry into King Taki's prison. I hope your Excellency will agree with me that this is a matter which requires active and decided interference on the part of the British Government. I wish also to draw your Excellency's attention to the statement made to me by the Chiefs that they are now building a prison in which they can all incarcerate prisoners. It appears also that Mr. Cleland, who is a Justice of the Peace, has a prison of his own, as well as a Court.

I have, &c.

(Signed) JAMES MARSHALL,
Chief Magistrate and Judicial Assessor.

His Excellency Colonel Johnston.

Inclosure 6 in No. 6.

Judicial Assessor's Court, Accra, Fort Ussher,
April 13, 1874.

Quow Ouchin v. Tawiah and Quay.—For Assault, Robbery, and False Imprisonment.

QUOW OUCHIN sworn, states :—

I owed Tawiah ten heads of cowries for a piece of grey baft I bought. Sometime last week I came here to settle a palaver. Tawiah met me in the street, in the evening, and took hold of me. He asked me if I knew him; I said, yes, it is Tawiah. He then said, you must go home with me, and I must talk to you. I begged him to speak at once, on the spot. He refused, and took me to King Taki's house and put me in prison there. He took hold of me. He took me by my hand, and another by my shim behind, and dragged me there. Quay is the man who took me by the shim. When they put me in, Quay took away my cloth with my shim, and pushed me inside the prison. Tawiah was sitting down when he took away my cloth. I begged to be allowed to keep my shim as a covering, but they refused. No Court was held, not a word said; only they got me into the yard, opened the door, and shoved me in. It is a very bad place, no ventilation; one is obliged to perspire all the time. I was alone there, and I think if any one remained there eight days he must die. I remained there four days. When I was put in, as it was not said how long I was to remain, and when I asked Tawiah to allow me to go out and borrow the money, he refused, and said if I died there he did not care. The next day Tawiah came, and afterwards I sent for him several times; I always asked to be allowed to go out to borrow the money, and he refused. He had been there the day I was released; I asked him for food, he refused and said, I might die there, and he would come and drag me out and cast me away. He gave me, each day, two strings of Kanki, and that was all I had. He brought me a bottle of water, and as he handed it over to me he said, if I felt inclined to kill myself I might do so with the bottle, and he would come and drag me out. I was not out of the prison all the time; I had to perform the functions of nature in the prison. There is no window in the prison, it is always dark. A friend of mine brought me a mat. When I was first imprisoned I was put in another room which was of the same kind; I nearly broke out of it so they put me in the other. It is also dark, with no window. I have never been in there before.

William F. B. Paul, Commandant of Accra, sworn, states :—

On Friday last, I went with the Judge and Mr. James Bannerman to investigate King Taki's prison. On arriving there we found the door locked, and we tried to get the key, but as it was not produced we wrenched open the door. We found one man inside, the last witness, who said he had been there for four days. The man was quite naked. The place was quite dark, and a dreadful stench came out as soon as the door was opened. A rough measurement was made of it with an umbrella, and found to be about 10 feet by 7. There was no window, and the only ventilation was an opening above the door of about 3 inches in breadth, and 8 inches the breadth of the door. His clothes were not produced, and we had to buy some grey baft and a cloth for him. King Taki's yard was very dirty, and there was a case of small-pox just outside the door of the prison. It was a child nursed by a woman. The face was

covered with drying-up marks; it seemed recovering. Small-pox is very prevalent and fatal in Accra at present. I have frequently heard of this prison, and found the accounts were not exaggerated, but rather the reverse. I am informed people have frequently been put in there. I have received letters from people in the prison begging me to release them, which I have done. I once spoke to King Taki about it, and he denied it being as bad as it was said to be; I did not speak officially; it was just after I first arrived. Over the door there was a written notice to the effect that no one had authority to imprison or release anyone without the King's order.

James Bannerman sworn, states:—

I accompanied the Judge and Commandant in their visit to King Taki's prison, and corroborate the Commandant's evidence in every particular. I have resided a long time in Accra. I have known of the prison for some years, but more within the last two years when I have been practising in these Courts. Taki has been King for twelve or fourteen years, and, I believe, he has always had this prison. I knew little about it until I felt bound to interfere on behalf of my clients. On some occasions I have been applied to by the families of persons imprisoned, and have found the cases against them were debts which were small originally, but largely increased by enormous interest. In another case the man was put in for a quarrel about a fowl, and the palaver is often on some small matter like that. Sometimes a man swears the King's oath on another, and he swears on the top of that, and so the debt accumulates until the one said to be in the wrong will be fined as much as 500 heads of cowries, and his family become liable, and then they get in this prison. When I have spoken to King Taki about it, and told him that I should inform the Commandant, and that the case would not bear investigation, he has always released the people. On one or two occasions when I have been to King Taki, I have been struck with the number of human faces struggling for air at the aperture over the door. I have told him more than once that his prison would get him into trouble with the authorities, and he said he intended building another. On one occasion when a prisoner escaped and came to Judge Chalmers for protection, the Judge remonstrated with King Taki about his prison and released the prisoner. Commandant Lees has also remonstrated with him about the treatment of his prisoners. There used to be another prison in the town belonging to Mr. Cleland; I do not know whether it still exists, now that he is a Magistrate. It existed last year. I do not think there is any other in the town. There used to be one in Christiansborg during the late King's time; I don't know about it now.

Edmund Bannerman sworn, states:—

I live at Christiansborg. There is a house of detention there, where the King confines prisoners. I have never seen it. I saw it in the late King's time. It was a place where the prisoners could go out when they chose, and there used to be complaints by people who took cases before the King that prisoners were not kept secure. I have had two or three complaints about King Taki's prison. Persons of both sexes have been confined there in a state of nudity. On one occasion, in 1871, I brought a case before the Commandant. The complaint was from a man who had been imprisoned there for over a month when the case was brought under my notice. He had no clothes, and was in want of food, and had to answer the calls of nature in the place. On that occasion the King said it was the fault of the gaoler, and fined him two dollars. On the other occasion I remonstrated with King Taki himself, and he always listened to me. He took the parties out, and let them remain in the courtyard. On one occasion I went to him with Captain Lees, who remonstrated with him, and he promised to build a more suitable place, but nothing was done. I have been applied to by several families about persons imprisoned, but took no steps, as I thought I had brought the matter sufficiently before the authorities. From what I have heard from clients, I have learnt there have been from twelve to fifteen confined at a time of both sexes. I believe there are almost always people there, and that it is a matter of perfect indifference to the King whether they remain there for ever. The statements I have received from persons who have been there, quite agrees with the evidence given to-day, in which there has certainly been no exaggeration.

James Mason sworn, states:—

I have been in King Taki's prison a short time ago. I was put in by Mr. Fearon, a Sierra Leone man. I was his trader here. King Taki was not there, but Mr. Fearon took me before three Judges, in a room upstairs. I was accused by Mr. Fearon of wasting his goods, and those Judges gave judgment against me. As soon as judgment was given against me I was stripped of my dress; they left nothing on me, and Mr. Fearon told the gaoler if any one sent me a good cloth I was not to be allowed it.

One was sent to me, and the gaoler took it, and I have never seen it again. My clothes consisted of drill trousers, and a coat, and a white shirt. I have never seen them again. The gaoler is dead. After I was stripped, Mr. Fearon commanded the gaoler to handcuff me, which he did, and locked me up inside the prison. I was in there for eight days. The handcuffs were on me all the day. I had to make urine and everything else in the place. Mr. James Bannerman got me released. No one else was in the prison. My sister brought me kanki, and that I could not eat because my hands were handcuffed. I was able to bite a little, and let the rest fall. I found a town mat lying in the room.

For the Defence.

Tawiah states:—

I am a Christiansborg man. The prosecutor has owed me money for about four years. I summoned him before King Taki, and he refused to come. I met him about six days ago here, and told him as he had refused to obey King Taki's summons I would give him in charge to Taki's constable till he found security, and I did so. The next day I sent him kanki, and the next days. The next day he proposed some security, but I could not let him go until he gave security. He owes me ten heads, equal to 11s. 3d., with interest at 50 per cent. I am a fisherman.

Quay states:—

I have no palaver with plaintiff. I am one of Taki's constables, and as the chief constable was ill, I assisted him. I did not put plaintiff in the prison; I don't know who locked him up. Ghartey, the constable, was ill with the small-pox, but not so much at the time. He got worse afterwards. It is six days since he died.

Tawiah, plaintiff, was imprisoned on Thursday evening. I sent for Ghartey, and, as he was ill, Quay came instead. It was he who imprisoned plaintiff.

Judgment.

The decision in Tawiah's case will remain until instructions in the matter of King Taki's prison are received from the Administrator.

Quay found guilty of imprisoning plaintiff without any authority. Sentence: 1l. damages, or one month's imprisonment, with hard labour. It was at the urgent request of the Chiefs that I allowed the option of a fine.

Chief Akrama.—We feel it an honour to have been brought here to-day in this case. We have no control over King Taki's prison, but have remonstrated with him. We all agreed to build a new prison, which is now in progress. If a thief is caught in the night, may we put him in the prison?

Judicial Assessor.—I think it better you should take him to the police station.

(Signed) JAMES MARSHALL,
Judicial Assessor.

Inclosure 7 in No. 6.

Sir,

Government House, Cape Coast, April 16, 1874.

I HAVE the honour to acknowledge receipt of your letter of 15th instant, inclosing proceedings taken in the course of your inquiry into cases relating to King Taki's prison, and to inform you that I entirely concur in the course you have adopted, and only await your return here to confer with you, with a view to submitting the whole question to the Colonial Office.

I have, &c.

(Signed) WILLIAM W. W. JOHNSTON,
Lieutenant-Colonel, Administrator.

His Honour the Chief Magistrate and Judicial Assessor,

&c.

&c.

&c.

Accra.

Inclosure 8 in No. 6.

Sir,

Accra, October 16, 1873.

I HAVE to request that you will draw the attention of his Excellency the Administrator to the fact that there is at present but one Justice of the Peace, so that in the event of the illness or absence of the Civil Commandant, certain cases could not be dealt with in the Police Court.

2. I would suggest, that to obviate the difficulty that would thus arise, three Justices of Peace should be appointed for Accra, one of whom should be selected from the Christiansborg community. The following are the names I tender for his Excellency's consideration —

1. F. J. Crocker (Agent for Messrs. Swanzy and Co.).
2. G. F. Cleland, Christiansborg.
3. L. Hesse.

Trusting that this may receive early attention, I have, &c.

(Signed) ROGER TUCKFIELD GOLDSWORTHY,

Acting Civil Commandant.

The Hon the Acting Colonial Secretary,

&c. &c. &c.

Cape Coast Castle.

No. 7.

Foreign Office to Colonial Office.

Sir,

Foreign Office, May 19, 1874.

I AM directed by the Earl of Derby to transmit to you, to be laid before the Earl of Carnarvon, a copy of a note from the French Ambassador at this Court, bearing testimony to the considerate treatment which had been experienced by Mr. Bonnat at the hands of the British authorities on the Gold Coast, after his release from captivity at Coomassie, and conveying to Her Majesty's Government the thanks of the French Government for the same.

I am, &c.

(Signed) TENTERDEN.

Inclosure in No. 7.

M. le Comte,

Londres, le 12 Mai, 1874.

LE Vice-Consul de France à Sierra Leone a informé M. le Ministre des Affaires Etrangères que M. Bonnat, prisonnier des Ashantees, recommandé par l'Ambassade à l'intérêt du Gouvernement Anglais, avait été mis en liberté quelque temps avant la prise de Coomassie, et il ajoute que M. Bonnat a été traité par les autorités Britanniques avec toute la bienveillance due à sa situation.

Je suis heureux, M. le Comte, de me faire l'interprète des remerciements que mon Gouvernement me charge de vous transmettre pour un acte d'humanité dont il est vivement reconnaissant.

Veuillez agréer, &c.

(Signé) LA ROCHEFOUCAULD BISACCIA.

Son Excellence M. le Comte de Derby,

&c. &c. &c.

No. 8.

The Earl of Carnarvon to Governor Berkeley.

Sir,

Downing Street, May 22, 1874.

I TRANSMIT to you, for your information, a copy of a despatch which I have addressed to Captain Strahan,* from which you will learn that Her Majesty has been pleased to appoint him to succeed at once to the Administration of the Gold Coast,

with a view to his ultimately assuming the Government of the Colony, into which it is proposed that that Settlement should be united with Lagos.

When this union is effected, the two eastward Settlements will altogether cease to be connected with Sierra Leone; and as your active supervision of the affairs of the Gold Coast has been for a long time suspended in consequence of the war, I think it will be convenient that the Administrator of the Gold Coast should, until the new Colony is constituted, continue to correspond direct with the Secretary of State.

I have, &c.

(Signed) CARNARVON.

No. 9.

Colonial Office to Treasury.

Sir,

Downing Street, May 22, 1874.

I AM directed by the Earl of Carnarvon to request that you will inform the Lords Commissioners of the Treasury that his Lordship has had under consideration the special expenditure which is likely to become necessary at the Gold Coast and Lagos when the fresh administrative arrangements, of which he recently gave an outline in the House of Lords, are brought into effect.

It is impossible to estimate with any approach to accuracy the probable revenue of these Settlements during the ensuing year, as the interruption of trade through the Ashantee war and other causes has rendered the receipts of the year 1873 altogether useless as a criterion of what may be expected when commercial operations have been freely resumed.

It is not impossible that the anticipations of a largely increased revenue at the Gold Coast may yet be verified; but, as the financial future of this Settlement is now uncertain, Lord Carnarvon is of opinion that no time should be lost in requesting Parliament to make provision for the more immediate requirements of the Settlements.

I am accordingly to request that their Lordships will cause to be prepared and presented to Parliament, at the earliest possible time, a Supplementary Estimate providing for a "contribution in aid of the revenue of the Gold Coast" of 35,000*l*.

This sum Lord Carnarvon would propose to expend as follows, it being understood that the proportions to be assigned to each head may be varied as may be found convenient:—

	£
Additional salaries	6,000
Telegraphs	10,000
Buildings and roads, and repairs of same	15,000
Miscellaneous	4,000
Total	35,000

As his Lordship thinks it very desirable that he should have entire freedom to alter or vary the objects on which the grant is to be expended, I am to request that only the aggregate sum may be proposed in the vote, without the particulars now given for their Lordship's information. The necessary explanations will, of course, be given in moving the vote.

The strictest economy will be enjoined in every case, and if the local revenue permits of any portion of the above services being performed from that source, the Imperial grant will be to that extent left undrawn.

As in previous cases, it is, of course, to be understood that this grant of 35,000*l*. is in the nature of an advance, and that any surplus Colonial funds which may become available for the purpose shall be devoted to the repayment of it.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 10.

The Earl of Carnarvon to Captain Strahan.

Sir,

Downing Street, May 22, 1874.

I HAVE the honour to acquaint you that Her Majesty has been pleased to approve of my recommendation that you should be appointed to administer the Government of

the Gold Coast, with a view to your shortly hereafter assuming the Government of the Colony into which it is proposed that the Settlements of the Gold Coast and Lagos shall be united.

You will readily understand that Her Majesty's Government attach the greatest importance to the careful and judicious administration of affairs in a country which has lately been so greatly disturbed, and it is because I have observed with satisfaction the general ability and discretion which you have displayed both in the Bahamas and at Lagos that I have felt justified in recommending you for the important duties which will devolve upon you.

I shall, before long, address you more fully on the various subjects connected with the future administration of the Gold Coast, and I have now only to request that you will lose no time in proceeding to assume the administration of the Gold Coast under the commission which I inclose.

I may, however, here mention that, after you have made yourself fully acquainted with the general condition of affairs, and have taken all the necessary steps for the maintenance of order and the defence of the Settlement, I shall desire to receive from you a full Report upon the practicability of establishing a regular communication between Acropong and the coast, and upon the fitness of that place for the frequent residence there of the Governor and the necessary officers of the Government. I am anxious that you and the other officers of the Government should, as much as possible, reside in the most healthy place available, and you have my full permission to carry on the administration temporarily either at Accra, Elmina, or even at Acropong, if the exigencies of the service will admit.

It is my desire that, after fully conferring with you, and as soon as you are quite satisfied that he can be spared from the Gold Coast, Captain Lees should return to Lagos and assume the Government of that Settlement, in pursuance of the provision to that effect contained in the 20th section of the Commission of the Governor-in-chief of the West Africa Settlements. But he should not leave the Gold Coast until you have had full opportunity of learning from him all details of the administration.

Until he can conveniently return to Lagos, Mr. Shaw will administer as Acting Collector of Customs, and it may, perhaps, be desirable that you should send some officer temporarily from the Gold Coast to Lagos to act as Collector of Customs in Mr. Shaw's place.

I have, &c.
(Signed) CARNARVON.

No. 11.

The Officer Administering the Government to the Earl of Carnarvon.—(Received May 23.)

My Lord,

Government House, Cape Coast, April 23, 1874.

WITH reference to Sir Garnet Wolseley's despatch of 15th January last,* and Lord Kimberley's despatch of 17th February,† and with a view to carrying out the intention therein proposed and approved of presenting King Blay, of Apollonia, with a surf boat in recognition of his services to the Transport Department during the war, I have the honour to inform your Lordship that I have authorized the Senior Control Officer here (per Memorandum of the 15th instant) to issue "free" to the Gold Coast Government one surf-boat, and have reported my so doing to the Right Honourable the Secretary of State for War.

Requesting your Lordship's approval, I have, &c.

(Signed) WILLIAM W. W. JOHNSTON,
Lieutenant-Colonel, Administrator.

No. 12.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, May 29, 1874.

I TRANSMIT to you confidentially a copy of a despatch which I have addressed to Captain Strahan,‡ and from which you will perceive that Her Majesty has been

* *Vide* No. 6 of Command Paper [C. 907] March 1874.

† *Vide* No. 17 of Command Paper [C. 921] March 1874.

‡ No. 10.

pleased to issue to him a Commission which revokes that already issued to you, and empowers him to administer the Government of the Gold Coast. You will understand that this step in no way implies any slight on your abilities or public services, but is simply taken in order that Captain Strahan may at once commence to make himself acquainted with the condition of the most important part of the Colony over the Government of which he is to preside.

You yourself will remain at the Gold Coast until Captain Strahan has had full opportunity of learning from you all the details of administration, and acquainting himself with the state of the various questions requiring settlement, when you will, with his concurrence, proceed to Lagos to assume the administration of the Government under the 20th Section of the Commission of the Governor-in-chief of the West African Settlements. In that capacity you may draw full salary as Administrator.

You will understand that the intention of Her Majesty to appoint Captain Strahan to the United Government is not to be made public until his Commission is finally issued.

I have, &c.
(Signed) CARNARVON.

No. 13.

Colonial Office to War Office.

Sir,

Downing Street, May 29, 1874.

WITH reference to the letter from this office of the 12th of February,* inclosing a printed copy of Sir G. Wolseley's despatch of the 15th of January,† I am directed by the Earl of Carnarvon to transmit to you the inclosed copies of correspondence between the Earl of Kimberley and the officer administering the Government of the Gold Coast‡ from which Mr. Hardy will perceive that one of the surf boats sent out for the use of the Ashantee expedition has been issued gratuitously as a present to King-Blay. His Lordship would recommend this disposal of the surf boat for Mr. Hardy's approval.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 14.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 1.)

My Lord,

Government House, Cape Coast, April 27, 1874.

WITH reference to your Lordship's despatch of the 27th March last,§ forwarding Her Majesty's Commission appointing me to administer the Government of the Gold Coast, I have the honour to report that I have this day assumed the administration.

2. I beg to transmit a copy of the Proclamation issued on the occasion.

I have, &c.
(Signed) C. C. LEES, *Acting Administrator.*

Inclosure in No. 14.

Proclamation.

By his Honour Charles Cameron Lees, Acting Administrator of Her Majesty's Forts and Settlements on the Gold Coast.

(L.S.) CHARLES CAMERON LEES, *Acting Administrator.*

WHEREAS by a Commission dated the 19th day of March, 1874, Her Most Gracious Majesty Queen Victoria has been pleased to nominate and appoint me to administer the Government of Her Majesty's Settlement on the Gold Coast:

And whereas I have this day taken and subscribed the usual oath of office:

* *Vide* No. 17 of Command Paper [C. 921] of March 1874.

† *Vide* No. 6 of Command Paper [C. 907] of March 1874.

‡ No. 11.

§ *Vide* No. 77 of Command Paper [C. 922] of June 1874.

Be it proclaimed and made known to all and singular Her Majesty's officers ministers, and loving subjects, and all others whom it may concern to take due notice hereof, and to give their ready obedience accordingly.

Given under my hand and Public Seal at Government House, Cape Coast, this 27th day of April, in the year of our Lord 1874, and of Her Majesty's reign the 37th.

By command,
(Signed) FOSTER FOSTER,
Acting Colonial Secretary.

God save the Queen.

No. 15.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 1.)

My Lord, *Government House, Cape Coast, May 2, 1874.*
I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 20th March last, calling for explanations on certain points from Mr. Goldsworthy with reference to his reports as to the movements of the natives on the Volta, copies of which reports were forwarded in Sir Garnet Wolseley's despatches of the 21st and 23rd February.*

2. Colonel Maxwell's despatch of the 18th March† will have already informed your Lordship of Mr. Goldsworthy's departure for England on the 13th of March.

I have, &c.
(Signed) C. C. LEES, *Acting Administrator.*

No. 16.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 1.)

My Lord, *Government House, Cape Coast, May 4, 1874.*
WITH reference to your Lordship's despatches of the 27th March,‡ I have the honour to transmit an extract, referring to the Adansi tribe, from the only local newspaper published at Cape Coast.

2. I have lately heard rumours, brought I believe by traders from the interior, that the King of Adansi had received messages from the King of Ashantee to the effect that he had now made a Treaty, and settled everything with the white man, who had returned to his country, and that if the Adansi people migrated into Fantec territory, they would not be permitted to remain there. This had caused King Aubin of Adansi, who had moved towards Denkira, to hesitate and open negotiations with King Coffee Calcalli. These proceedings gave rise to suspicions on the part of the Wassaws and Denkiras that the Adansi people do not now intend to withdraw themselves from Ashantee, and that the Chiefs of Wassaw and Denkira have in consequence sent to the King of Adansi to the effect that if he does not fulfil his engagement, they will demand some money payment before liberating the hostages, six in number, who were given by King Aubin at the time he swore to migrate into their country.

3. I have sent a messenger of some influence, one Cudjo Sago, who was employed by Sir Garnet Wolseley, and bears a character for trustworthiness, to Wassaw and Denkira, and also to King Aubin, to ascertain the true state of affairs, and have also set on foot inquiries through other independent channels. I expect Cudjo Sago to return in about fifteen days.

4. Should I find much contention arising with regard to the hostages, and leading to further complications, it may become expedient to remove them to Cape Coast, in which case I may be in a better position to carry out any instructions I may hereafter receive in the matter from your Lordship. I do not, however, intend to interfere in any way unless compelled.

5. Referring to the latter part of your Lordship's despatch of the 27th of March, I learn that the Adansi tribe can put rather more than 2,000 armed men in the field; and I have instructed the messenger alluded to above to ascertain where

* *Vide* Nos. 42 and 47 of Command Paper [C. 922], June 1874.

† *Vide* No. 12 of Command Paper [C. 1006], June 1874.

‡ *Vide* Nos. 75 and 79 of Command Paper [C. 922], of June 1874.

these people were to be located on leaving their own country, and in what manner the concurrence of the Wassaws in the arrangement was expressed.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure in No. 16.

Extract from the "Gold Coast Times" of April 29, 1874.

WE learn that King Kofi Kulcarry is already negotiating for the return to their former allegiance to him of the Adansis and Djuabins, his claims over whom he is supposed to have renounced by the Treaty alleged to have been signed by him. We hear that he has sent messengers to treat with the Kings of Adansi and Djuabin for their return to his dynasty on their former status.

To the King of Adansi we learn he has sent to say that the sooner he returned to his suzerainty the better it would be for him, if he went without coercion; and that he would send him whatever money he required to obtain his release from the oath he had taken with the Wassaws and Denkiras to live quietly and peaceably with them; but that, if he still adhered to his resolve of withdrawing himself and his people from their allegiance to him, he would find a way of enforcing his return in a manner that would not be exactly pleasant. We learn further that Kofi Kulcarry added that, as it had taken the whitemen but one day to destroy his capital, he would rebuild it within the same period. This is said to have placed the King of Adansi in a state of perplexity, and he has sought to be released from the oath he has taken with the Wassaws and Denkiras, ostensibly for the purpose of transporting himself and his people to Assin, where they say they wish to take up their abode, as they form a part of the Assin tribe, but in reality to clear out of the Protectorate. The King of Djuabin received a like message, but with this difference that no threats were held out to him, but a large sum of money was sent him. The Djuabins are too powerful and warlike a tribe, and His Majesty prefers adopting a more conciliatory tone towards them. Fortunately Attah of Akim holds, as hostages, the King of Djuabin's mother, sister, and nephew, so he is nonplussed as to how he is to return to his former allegiance, even if he be so disposed.

This attempt of the King of Ashantee to gain over the tribes over whom he is said to have renounced all claims of sovereignty, but bears out what we stated in our last issue, and fully confirms the expressed opinion of Sir Garnet Wolseley in his estimate of Ashantee character and politics. When occasion serves his purpose he will unbend a little below his dignity, and as readily assert his Kingly right when he thinks his aim can better be effected thereby; he can renounce and reclaim in the same breath. There is no knowing what these messages between him and his revolted subjects (for they are such)—these threats and promises, on the one hand, and the desire to be absolved from their oaths, on the other, may lead to. Fresh complications may arise out of them, new difficulties may be brought about from sources least undreamed of, and the peace and safety of the Protectorate again imperilled ere the embers of the late conflagration are hardly extinguished.

The Ashantee Monarch and his people are proud, haughty, and warlike; he has still at his command a force sufficiently numerous to bring to subjection the tribes of Adansi and Djuabin; and how much ever he may have had his pride lowered and his haughty spirit broken, he may find it incumbent, if he is desirous of maintaining his prestige and authority over and among his other tributaries, to make an attempt to bring them back to their former allegiance. If he is compelled to resort to force, who can foretell to what results it may lead? It is true that the Protectorate for years to come may have nothing to fear at his hands; but who can say what effect a collision between him and his revolted tributaries may not have on the prospects and on the future of the protected tribes? Even as it is now, what evil influences may not work among our frontier tribes? Contact between semi-civilized and barbarous races may have the result of inducing the semi-civilized tribes to return to some of their past barbarous practices, customs, and habits. Since the Adansis and Djuabins are now under British protection, or are supposed to be so, what is there at the present to prevent them from making human sacrifices? What would be done by our Government, if intelligence reached it that either the King of Djuabin or Adansi had slaughtered fifty or a hundred poor wretches at some custom? What steps would it take to prevent the recurrence of such atrocities? And what measures would it adopt

to prevent the possibility of such practices spreading like some fell epidemic among our frontier Kings and Chiefs, who, now and then, in a manner that it shall not reach the ears of authority, resort to such customs? Would the Government, in case of a single member of an Adansi or a Djuabin family that had been sentenced to extermination escaping and reporting the fact, take any notice of the circumstance, compel and enforce the appearance here of the King, inflict such punishment on him as should ever deter others from doing the like, and how could it effect this? In case of the Adansi and Djuabins being attacked by King Kofi Kulcarry, and being unable to hold their own, applying to our Government for aid, would it be prepared, and is it in a position, to render them effectual assistance? The savage is as capable of learning and profiting by experience as is the civilized individual; what he has failed to effect on one occasion, bitter experience may teach him, given like conditions, how to obtain it on another; and the Ashantee seldom fails to turn to advantage any lessons which he may receive. If we are rightly informed, the hanging of the poor Fanti policeman at Coomassie furnished him with a weapon for defence in arguing against that clause of the Treaty wherein it is stipulated that he shall no more sacrifice human beings. The Ashantee Monarch is reported to have said that he did not slaughter innocent persons, but only those who had had sentence of death passed on them after a fair trial, these he reserved for such occasions as on which he had to make custom, or on which it was necessary to sacrifice to his fetish, when their sentences were executed, just in the same manner as Sir Garnet Wolseley had caused to be hanged at Coomassie this policeman for the crime he had committed. This does not much look as though Kofi Kulcarry intended adhering to that clause of the Treaty wherein he promises to prevent the sacrifice of human beings.

But, *revenons à nos moutons*, has the situation of affairs been at all considered? Is the Government at all aware of the doings of His Majesty of Ashantee? Does it for a single moment believe that the King will fulfil the conditions of the Treaty, or does it merely attempt to foist the Treaty on the public for being more than what it is really worth? Let us know clearly what policy will be adopted, and what measures will be pursued to place the Protectorate in a position to defend itself in any future war with Ashantee.

No. 17.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 1.)

My Lord,

Government House, Cape Coast, May 7, 1874.

I HAVE the honour to report to your Lordship that some messengers arrived here to-day from Ashantee and delivered over to me thirty-three persons of the Royal family of Assin, descendants of certain hostages retained by the King of Ashantee when he invaded the Fantee territory in 1807, as he doubted the loyalty of the Assins then under his Dominion.

The Assins, however, revolted and migrated across the Prah, leaving the hostages in the hands of the Ashantee Monarch.

I had asked for the release of this family in conversation with the Ashantee Ambassador here at the request of King Mensah of Assin.

2. Fifty-four other prisoners, chiefly women, and belonging to different Fantee tribes, were also brought down and handed over to me. I have taken steps for conveying them to their respective homes.

3. I am glad further to report that between 400 and 500 Ashantee traders accompanied the messengers into Cape Coast. There was some disposition on the part of the mob to insult and jeer at the Ashantees. I therefore called together the Chiefs of the town, and invited their co-operation in putting a stop at once to anything of the kind, requesting them to be most watchful in their respective quarters of the town, and assured them that anybody whom the police might detect so misbehaving would be punished, whatever might be his rank.

4. I also charged the Chiefs in this instance with the responsibility of seeing that the traders were respectably lodged, and not left at the mercy of rogues and vagabonds, into whose houses they might be decoyed.

I have, &c.

(Signed)

C. C. LEES, *Acting Commissioner.*

No. 18.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 1.)

My Lord,

Government House, Cape Coast, May 7, 1874.

I HAVE the honour to report that several claims and petitions have been received for compensation for losses of various kinds arising out of the late war.

2. I beg to solicit instructions as to what course your Lordship would like pursued in the matter.

3. I respectfully suggest that a Commission might be appointed to inquire into and report upon each case, consisting of the Chief Magistrate and Judicial Assessor as President, and the Colonial Surveyor and an officer of the garrison (to be selected by the officer commanding troops) as members.

4. I hardly know in such a case whether the military officers or the members of the Board should receive any remuneration.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

No. 19.

Treasury to Colonial Office.

Sir,

Treasury Chambers, June 2, 1874.

I HAVE laid before the Lords Commissioners of Her Majesty's Treasury your letter of 22nd ultimo,* on the subject of the special expenditure which is likely to become necessary at the Gold Coast and Lagos, when the fresh administrative arrangements, of which the Earl of Carnarvon gave an outline in the House of Lords, are brought into effect; and I am commanded to acquaint you that my Lords will cause an estimate to be submitted to Parliament for 35,000*l.*

I am to request that you will move the Secretary of State to give directions for the preparation of the estimate accordingly.

I am, &c.

(Signed) WILLIAM LAW.

No. 20.

Colonial Office to Treasury.

Sir,

Downing Street, June 4, 1874.

IN compliance with the request contained in your letter of the 2nd instant,† I am directed by the Earl of Carnarvon to transmit herewith, for the information of the Lords Commissioners of the Treasury, and for presentation to Parliament, a Supplementary Estimate for the sum of 35,000*l.* as a grant in aid of the Local Revenue of the Gold Coast.

I am, &c.

(Signed) R. H. MEADE.

Inclosure in No. 20.

CLASS V.

(3.)—*Grants in Aid of Expenditure in certain Colonies.*

I. Supplementary Estimate of the Amount required in the Year ending 31st March, 1875, in aid of Colonial Local Revenue, and to defray the Salaries and Allowances of Governors, &c., and other expenses in certain Colonies.

Thirty-five Thousand Pounds.

II. Sub-head under which this Vote will be accounted for by the Colonial Office:—

In Aid of Local Revenue.

D(a) Gold Coast £35,000

Repayment will be made to the Imperial Government, should Colonial Funds become available for that purpose.

No. 21.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 5, 1874.

I have to acknowledge the receipt of Captain Lees' despatch of the 27th April,* reporting his assumption on that day of the Government of the Gold Coast.

I have, &c.

(Signed) CARNARVON.

No. 22.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 5, 1874.

I HAVE received Captain Lees's despatch of the 7th of May,† respecting claims which are being put forward for losses arising out of the late war.

No statement of the nature of these claims having been transmitted, I am not in a position to form any opinion upon them, or to judge whether they are of such a character as to call for the appointment of a Commission.

I consider that the proper mode of proceeding in the first instance will be to refer the cases to the Chief Magistrate (if he can take the work without its unduly interfering with the business of his own Court), or to such other officer as you may select, with instructions to report fully upon them; you will then transmit them to me, together with the Report of the Chief Magistrate or other officer to whom they were referred, so that they may be submitted to the Law Officers of the Crown.

Special care must be taken to make each claimant understand distinctly that, in taking this course, the Government in no way admit any liability on their part to make compensation, either in the particular case or in the class of cases to which the claimants may belong.

I have, &c.

(Signed) CARNARVON.

No. 23.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 5, 1874.

I HAVE received with much satisfaction your despatch of the 7th ultimo,‡ reporting the arrival from Ashantee of certain Assin and Fantee prisoners, and of a large number of Ashantee traders.

Everything that contributes to replace affairs upon their ordinary and peaceful footing, and above all the development of the legitimate trade of the interior with the sea coast is most desirable. On the other hand, everything that tends to maintain the uncertainties and irritations of tribal animosities is dangerous in itself and fatal to the establishment of those orderly and peaceful relations which are absolutely essential to good government. I have therefore learnt, with great concern, that there has been a disposition on the part of the people of Cape Coast to insult the Ashantees.

I wish you, however, to understand clearly that it is the desire of Her Majesty's Government that you should repress at once, and, if necessary, by the most summary and severe measures, any acts or words by which the Fantees or others, who are

* No. 14.

† No. 18.

‡ No. 17.

dependent on our protection, may give reasonable offence to Ashantees, or endanger the relations of the native tribes.

I trust that the measures you have already taken may prove sufficient for the purpose, but should, unfortunately, such not prove to be the case, I have to instruct you to issue a formal Proclamation expressing the determination of the Government to repress all acts which may tend to keep alive the irritation between the native tribes, and to visit any infringement of the Proclamation with severe punishment without respect of persons, and you will take steps for giving immediate effect to such warning.

You will be good enough to report to me fully on this subject without delay.

I have, &c.
(Signed) CARNARVON.

No. 24.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 5, 1874.

I HAVE received Colonel Johnston's despatch of the 18th of April,* inclosing communications from the Judicial Assessor, respecting the appointment of Mr. Cleland, a native gentleman not a British subject, to be a Justice of the Peace, and also respecting a case in which a native had been imprisoned at Accra in a place altogether unfit for that purpose under colour of the jurisdiction of King Takie, who holds a native Court there.

2. I understand Mr. Marshall's objection to the appointment of Mr. Cleland to be founded, not upon any local enactment, but upon general principles.

3. I will not stop now to consider whether the old Imperial Acts are in force in the Settlement, or whether the office of Justice of the Peace is included in the Act of Settlement, as I am of opinion that the Crown, as the fountain of honour, can confer on an alien residing outside of British territory the dignity of a Justice of the Peace, which is to be regarded in this case rather as a mark of the Royal approbation for the manner in which he conducts himself, and the example which he affords to the people of his own nation, than as entitling him to exercise the functions of a Justice of the Peace within the strict limits of the British Settlement.

Having thus acquired the dignity of a Justice of the Peace, Mr. Cleland properly exercises jurisdiction in strictly native cases, Justices of the Peace being, under an Order in Council of April 4, 1856, the delegates of the jurisdiction exercised on behalf of Her Majesty by the Judicial Assessor.

4. The fact of Mr. Cleland being a Justice of the Peace could not, as Mr. Marshall suggests, be regarded as giving him the status of a British subject, as that status can only be conferred by virtue of Imperial or local legislation.

The same dignity of Justice of the Peace has already been conferred on a native gentleman in the person of Mr. Bentill, of Mumeford, and I believe with results advantageous to the interests of good order and justice in that part of the country.

5. There are many indirect advantages connected with the appointment of native Chiefs, of character and intelligence, to be Justices of the Peace. The possession of that distinction cannot fail to be highly valued, and the desire to retain it is calculated to render its possessors amenable to the influence and wishes of the British Government.

6. With regard to the case of King Takie, I am not disposed to consider that the exercise of civil jurisdiction by him in such a case as that reported can be regarded as an usurpation on his part, though, in the present case, it would appear that the proceedings of those who acted in his behalf were substantially unjust, and that the person seized in the case was treated with gross barbarity.

7. It has not been hitherto the policy of Her Majesty's Government to extinguish the jurisdiction of the native Chiefs, even in the coast towns where English Courts regularly sit, although they have endeavoured to improve and regulate that jurisdiction through the machinery of the Assessor's Court.

8. I cannot, however, but add that the fact that a prison of the character of the one described could have existed under the eyes of British officials for so long, without remonstrance or even comment, is to me a matter of surprise and regret. Such a con-

dition of things as is described in this case, though the result of the barbarous habits of the natives, is yet disgraceful to the British institutions by which it may claim to have been partially countenanced. I trust that henceforward a spirit of greater vigilance will be found on the part of those who are, to a great measure, responsible, and that the English Government on the Gold Coast will not be open to the reproach of indifference on subjects of such importance as these.

9. King Takie would appear to have been ignorant of the particular measures of barbarity applied to the prisoner in this case, but he is responsible for the general state of the place which he calls his prison; and you will express to him that Her Majesty's Government have heard with extreme surprise and displeasure of the state of this place; that they are determined not to suffer the continuance of such a disgrace to British jurisdiction, and that he must either provide a proper prison, or cease from interfering in the administration of justice; and further, that in administering law he must conduct himself with humanity and equity.

10. I consider that the Government is entitled and bound to exercise a general supervision over the prisons in which the sentences inflicted by native Chiefs in the administration of justice are carried out. I am aware that the exercise of such supervision may be difficult in the remote parts of the country, more especially until the power of the Government has been consolidated by the strengthening of the police force and the opening up of the country by roads and paths; but I see no reason why the Government should not at once take upon itself to require the Chiefs of the coast country to reform their prisons.

11. It may be a question whether, in the mercantile communities on the coast—such as Accra and Cape Coast Castle, where British Courts are in full operation—the administration of justice by native Chiefs should continue, and, if so, with what modifications. The evidence given before the Committee of the House of Commons in 1865 was, upon the whole, in favour of the continuance of the Native Courts, but I should wish to have your opinion on this important point. In making inquiries upon this subject, it will be desirable that you should, as far as possible, ascertain the views, not only of the native Chiefs, who have a direct interest in the retention of these Courts, but also of that class of natives who are ordinarily suitors in them.

12. I request also to be informed whether there is any other native gentleman of intelligence and trustworthy character whom you think it might be expedient to raise to the rank of Justice of the Peace, as has been done in the case of Mr. Cleland.

I have, &c.

(Signed) CARNARVON.

No. 25.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 5, 1874,

I HAVE received your despatch of the 4th ultimo,* on the subject of the movements of the Adansi tribe.

With reference to the question of the detention of the hostages by the Chiefs of Wassaw and Denkira, I have to refer you to my despatch of the 24th April,† in paragraphs 4 and 5 of which it is stated that hostages are not to be detained against their will.

Until you have reported the result of Cudjo Sago's mission I shall defer giving any specific instructions as to this particular case, but I am disposed to think that in the event of the Chiefs of Wassaw and Denkira refusing to release the Adansi hostages without payment, the course you contemplate, of removing them in the first instance to Cape Coast Castle may be a judicious one.

I have, &c.

(Signed) CARNARVON.

* No. 16.

† Vide No. 21 of Command Paper [C. 1006] of June 1874.

No. 26.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 6.)

My Lord,

Government House, Cape Coast, May 13, 1874.

I HAVE the honour to report to your Lordship that the King of Ashantee informed me yesterday, through the messengers who brought the instalment of the indemnity, reported in my despatch of 12th instant, that King Attah of Eastern Akim was still inciting the Quawhoo people and others to disaffection.

2. I beg to transmit a copy of a letter I have sent to King Attah.

3. Colonel Maxwell addressed the Earl of Kimberley on the subject in a despatch of the 19th March, a copy of which is inclosed, as well as a copy of the letter sent by Colonel Maxwell to King Attah in March last.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 26.

My Lord,

Government House, Cape Coast, March 19, 1874.

I HAVE the honour to report that two messengers arrived yesterday from the King of Ashantee with a message to the effect that King Attah of Eastern Akim and King Quabinah Fuah of Western Akim, have compelled the inhabitants of the towns of Quawhoo and Ashanti-Akim to throw off their allegiance to the King of Ashantee and migrate into Akim territory, where they have distributed themselves among the villages; the messengers further state that the Akim Kings have taken hostages as pledges from several others, including the populous town of Iwabin, that they also will revolt and come over into Akim territory.

2. The King of Ashantee asks that his people who have already deserted him may be compelled to return to their allegiance, and that the Kings of Akim be stopped from inciting further defection.

3. There is very little doubt that many towns would avail themselves of the present opportunity to throw off the Ashantee yoke and retire within the limits of the protected territory if they thought they would not be expelled by this Government. Ashantee is still a powerful kingdom, stronger than its neighbours, who it periodically ravages; and I hardly know how far I am justified in preventing these weaker tribes strengthening themselves by alliances against the future possible attacks from the warlike and superstitious Chiefs of Ashantee.

4. I shall send a letter to each of the Kings of Akim, forbidding them to receive and protect any more Ashantees desirous of coming over to them until I receive instructions from your Lordship on the subject. I propose replying to the same effect to the Ashantee messengers.

I have, &c.

(Signed) J. MAXWELL, *Lieutenant-Colonel,*
Acting Administrator.

The Right Hon. the Earl of Kimberley,
&c. &c. &c.

Inclosure 2 in No. 26.

Government House, Cape Coast, March 21, 1874.

THE King of Ashantee has sent to inform me that you are entering into negotiations with some of his people with a view to enticing them to enter your territory and throw off his authority, and that the inhabitants of the towns of Quawhoo and Ashanti-Akim have already done so.

I have written to England for instructions on this subject, and until I get an answer, when I will let you know, you must not encourage or permit any more Ashantees to revolt and come into your country for protection. For it would be most unfortunate for the people if I was instructed to send them back to their country.

I am, &c.

(Signed) J. MAXWELL, *Lieutenant-Colonel,*
Acting Administrator.

King Attah of Eastern Akim,
&c. &c. &c.

Inclosure 3 in No. 26.

(L.S.)

Government House, Cape Coast, March 12, 1874.

THE King of Ashantee has sent to inform me that you are encouraging and assisting the Quawhoo people and others in taking up arms against the King of Ashantee.

I am very sorry to learn this, as a letter was sent to you in March last telling you that the Administrator had written to England for instructions with regard to the Quawhoo and Ashanti-Akim people, and that until a reply should be received you were not to encourage or permit any more Ashantees to revolt and come into your territory for protection.

You will on receipt of this at once put a stop to these proceedings, and remain quiet until I send you the instructions that may arrive from England.

I am, &c.

(Signed) C. C. LEES, *Acting Administrator.*

King Attah of Eastern Akim,
&c. &c. &c.

No. 27.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 6.)

My Lord,

Government House, Cape Coast, May 14, 1874.

REFERRING to paragraph 6 of the Earl of Kimberley's despatch of 13th February last,* relative to the reversion to the Government of the arms remaining in the hands of the irregular native levies at the close of the war, I have the honour to inclose, for your Lordship's information, copies of a correspondence with the Senior Control Officer at this station on the subject. I am led to believe that comparatively few arms remain in the hands of the late levies, but will report further to your Lordship as soon as I shall have received the promised return from the Control Department.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 27.

Sir,

Government House, Cape Coast, April 15, 1874.

IN reply to your letter of 13th instant, I am directed by the Administrator to refer you to Assistant Commissary Crook's Minute of 19th March, 1874, annexing a statement of arms, in which he says that when the balancing of your store accounts should be completed, a more satisfactory statement could be rendered. It is this promised amended statement that is now requested to be furnished.

I have, &c.

(Signed) J. A. SMITH, *Captain,*
Private Secretary.

The Senior Control Officer,
&c. &c. &c.
Cape Coast Castle.

Inclosure 2 in No. 27.

My dear Sir,

The Castle, Cape Coast, April 24, 1874.

WITH reference to your letter, it will be impossible for me to give a decided answer till the accounts are made up, and that will not be for two or three months at the least, even then I doubt the possibility of a correct answer, as no account of issues or receipts were kept at the different stations except at the Prah.

I am, &c.

(Signed) C. F. H. BEARDMORE, *Assistant Commissary.*

Captain Smith,
Private Secretary.

* *Vide* No. 15 of Command Paper [C. 921] of March 1874.

No. 28.

War Office to Colonial Office.

Sir,

War Office, June 11, 1874.

I AM directed to request you will state to the Earl of Carnarvon that Mr. Hardy will take an early opportunity of submitting, for Her Majesty's approval, that the grant of the Ashantee War Medal be extended to the officers not on the full pay of the regular forces, a list of whose names is inclosed in your letter, and to the native Chiefs and others therein referred to.

It will, of course, be understood that the cost of the medals, which it is estimated will amount to 500*l.* or thereabouts, will, should it be Her Majesty's pleasure to sanction the grant of them, be provided for from Colonial funds.

With regard to the native levies known as Wood's Regiment, Russell's Regiment, and Rait's Artillery, Mr. Hardy directs me to say that Lord Carnarvon rightly, in his opinion, assumes that they come within the terms of the General Order notifying the grant of the Medal to all Her Majesty's forces employed, as, whilst employed, they were subject to the provisions of the Mutiny Act and Articles of War under the 4th section of that Act; but he would suggest whether, as these levies are now disbanded, it will not be found to be the most convenient arrangement to leave the distribution of the medals to the Colonial authorities, after first ascertaining what number will be required.

I have, &c.

(Signed) PEMBROKE & MONTGOMERY.

No. 29.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 12, 1874.

I HAVE received Captain Lees' despatch of the 14th of May,* respecting the collection and disposal of the arms in the hands of irregular native levies.

I do not clearly understand whether I should conclude from this despatch that the greater proportion of the arms of various kinds placed in the hands of the natives for the purposes of the war have been recovered from them without trouble and in good condition, and I await further and more explicit information on this important subject, as promised by Captain Lees.

I have, &c.

(Signed) CARNARVON.

No. 30.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 12, 1874.

I HAVE received your despatch of the 13th ultimo,† forwarding a copy of a letter which you had addressed to King Attah, of Eastern Akim, on the subject of his inciting the Quawhoo people and others to disaffection.

I have to refer you to my despatch of the 24th April,‡ as containing instructions for your guidance in this matter; and I have to add that it is your duty, as you are doubtless aware, to check in the most decided manner, and on the earliest intimation of it, any attempt on the part of the Chiefs in the Protectorate to revive unfriendly feelings with the Ashantees.

I have, &c.

(Signed) CARNARVON.

* No. 27.

† No. 26.

‡ Vide No. 21 of Command Paper [C. 1006], June 1874.

No. 31.

Aborigines Protection Society to Colonial Office.

My Lord,

12, Lambeth Terrace, S.E., June 12, 1874.

THE attention of the Committee of the Aborigines Protection Society has been directed to a statement, to which considerable prominence was given in the "Manchester Guardian" of Monday last. A correspondent of that journal, writing from the Gold Coast on May 13th, says:—

"Bands of Ashantee traders occasionally come down, and their principal article of commerce is slaves, many of them children, and all kidnapped from other countries. But this is allowed and protected by the British Government, and even Cape Coast itself is a slave market, and the police are employed in catching any poor creature who runs away."

The Committee of this Society hope that your Lordship is in a position to contradict the allegation that the British authorities on the Gold Coast have virtually sanctioned a traffic in kidnapped negroes, and that a slave market has been established at Cape Coast Castle. At all events, we feel sure that your Lordship will inquire into the matter; and, if necessary, insist upon the prohibition of the nefarious traffic and the release of the enslaved persons.

I have, &c.

(Signed)

F. W. CHESSON,

Secretary of the Society.

No. 32.

Messrs. Swanzy to Colonial Office.

My Lord,

122, Cannon Street, London, E.C., June 16, 1874.

WE have been waiting patiently for the publication of further Reports from Her Majesty's officers on the Gold Coast, relative to the scandalous libel which has been circulated as to our dealings with the Ashantees; and finding that the recent correspondence on the subject, and especially the report of Captain Fremantle, does not appear in the Blue Books, we most respectfully ask whether it is the intention of Her Majesty's Government to print that correspondence, and if not, whether your Lordship will furnish us with a copy of it?

Shortly after the return of Colonel Harley from the Coast, the libel we allude to was most industriously spread, especially in military circles; it was stated, but never openly, that we were supplying the Ashantees with arms and ammunition all through the war; and we have never yet been able to trace the source from whence these vile reports originated.

There can be no doubt that the correspondence on this subject, which passed between Her Majesty's Government and our firm, lent, as it were, a colouring to the scandals: and we trusted that inasmuch as every letter and every sentence which could possibly injure our character had been published, any report which might help to clear us of the charge brought against us, would also be made public. We sincerely hope and trust this will now be done.

The Department over which your Lordship presides, is in possession of papers which prove that our Agent at Assinee did his utmost to prevent arms, &c., being supplied from that place to the Ashantees; all reference to these papers has been omitted in the Blue Books, nor has any notice whatever been taken in any public document of the assistance afforded by our Agents to the officers of the late Ashantee Expedition, whenever such assistance was possible. The course taken by Her Majesty's Government has indeed tended to give credence to the reports circulated against us. We cannot expect Her Majesty's Government to concern itself with our character; but when it publishes a number of letters written expressly for the purpose of damaging us, we do certainly expect and hope that the whole correspondence will be fully and fairly placed before the public.

We also beg respectfully to call your Lordships' attention to our claim on Her Majesty's Government for the destruction of our property at Secondce. We believe compensation was promised to us shortly after the event; but we presume the disturbed state of the Settlements prevented your Lordship from entering minutely into

the details of the attack on British Secondee, on which occasion our property was destroyed.

We have, &c.
(Signed) F. & A. SWANZY.

No. 33.

War Office to Colonial Office.

Sir,

Pall Mall, June 16, 1874.

ADVERTING to the letter from this office of 11th instant,* I am directed by Mr. Secretary Hardy to acquaint you, for the information of the Earl of Carnarvon, that Her Majesty's sanction has been received for the grant of the Ashantee War Medal being extended to the officers not on the full-pay of the regular forces; a list of whose names was inclosed in your letter of 16th ultimo, and to the native Chiefs, and others therein referred to.

I have, &c.
(Signed) FRED. STANLEY.

No. 34.

Colonial Office to War Office.

Sir,

Downing Street, June 17, 1874.

IN reply to your letter of the 11th instant,* I am directed by the Earl of Carnarvon to acquaint you that his Lordship agrees with Mr. Secretary Hardy that the distribution of the Ashantee War Medal to the Native levies of Wood's and Russell's Regiments and Rait's Artillery may be left to the Colonial Authorities.

I am also to acknowledge the receipt of your letter of the 16th instant,† conveying the intimation of Her Majesty's pleasure with regard to the grant of the medal to the Houssas and others alluded to in my letter of the 16th ultimo, and I am to state that Lord Carnarvon will request the Administrator to furnish an estimate of the number of medals which will be required in all.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 35.

Aborigines Protection Society to Colonial Office.

My Lord,

Raleigh Hall, Brixton Rise, S.W., June 18, 1874.

I AM desired by the Committee of the Aborigines Protection Society to forward to your Lordship the inclosed memorial on the subject of the Government of the Gold Coast. The Memorial is signed by myself as chairman of the meeting at which it was adopted; and by Mr. Alderman McArthur, M.P.; Mr. E. Jenkins, M.P.; Mr. R. G. Haliburton, Mr. R. N. Fowler, Mr. E. B. Eastwick, Major-General Sir J. E. Alexander, Mr. T. Hughes, Q.C.; and Mr. F. W. Chesson. Many other signatures might have been obtained, but it was considered desirable to confine them to members of the Society who were immediately accessible.

I feel sure that your Lordship will give your best consideration to the two points brought forward in the Memorial.

I have, &c.
(Signed) A. M'ARTHUR.

Inclosure in No. 35.

To the Right Honourable the Earl of Carnarvon. Her Majesty's Principal Secretary of State for the Colonies.

My Lord,

WE respectfully desire, on behalf of the Aborigines Protection Society, to express to your Lordship the gratification we have derived from the very clear and satisfactory statement of the policy of Her Majesty's Government with reference to the Gold Coast, which your Lordship made in the House of Lords on the 12th May.

We earnestly hope that, in the reconstruction of the Government of that Coast, your Lordship will adopt such measures as are calculated to bring about the early abolition of the pawn system in the British Protectorate, and to prohibit any recognition of human slavery in the Courts of Law established by Great Britain. Your Lordship has referred to the difficulties which stand in the way of the immediate abolition of an institution which is interwoven with the most cherished ideas and habits of the people; but we venture to express the opinion that, in continuing to secure to the Native Tribes the benefit of British protection, we are entitled to insist that they shall make some sacrifice in return, especially when, as in the present instance, their doing so is absolutely necessary to their own progress in civilization.

With reference to the great unhealthiness of the climate on the Gold Coast, and the consequent difficulty of inducing the best class of Englishmen to volunteer for so dangerous a service, we beg respectfully to urge upon your Lordship the expediency of employing in the Civil administration of that Coast a larger number of educated Africans, or men of African descent. To the Earl of Kimberley belongs the honour of having given instructions that such persons should, as far as possible, be employed in our West African Settlements, but we believe that the rule he laid down admits of being acted upon to a much larger extent than has hitherto been the case. At the present moment many of the most important offices in the West Indies are held by gentlemen of colour; and we are assured that in those Colonies and in the Mauritius, as well as on the West Coast itself, many loyal and intelligent members of the African race would be willing to serve the Crown in Africa. We feel sure that this question may be safely left in your Lordship's hands.

We have, &c.

(Signed)

A. M^cARTHUR, M.P., *Chairman of the Committee.*

WM. M^cARTHUR, M.P.

EDWARD JENKINS, M.P.

R. G. HALIBURTON.

R. N. FOWLER.

EDWARD B. EASTWICK.

JAMES EDWD. ALEXANDER, *Knt.,*
Major-General.

THOS. HUGHES.

F. W. CHESSON, *Secretary.*

12, Lambeth Terrace, S.E.,
June 17, 1874.

No. 36.

Colonial Office to Aborigines Protection Society.

Sir,

Downing Street, June 18, 1874.

IN reply to your letter of the 12th instant,* I am directed by the Earl of Carnarvon to state that his attention has been called to the newspaper extract in question, and, though of course it is impossible for Her Majesty's Government to inquire into the numerous and unauthenticated statements which from time to time appear on such subjects, Lord Carnarvon has forwarded it to the Administrator of the Gold Coast, with a request to be informed as to the correctness of it. Lord Carnarvon has, however, little doubt that there must be some very great misapprehension of facts.

I am, &c.

(Signed) R. H. MEADE.

* No. 31.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 19.)

My Lord,

Government House, Cape Coast, May 23, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 24th April,* pointing out the necessity of not delaying to take measures for keeping open the road to the Prah.

2. In consequence of obstructions from fallen timber and the rapid growth of underbush at this season, I had so far anticipated your Lordship's instructions as to enter into an arrangement with Kings Chibboo and Inkie, of Assin, to clear the road through their territory, which extends from Prahsuc to Yankoomassie Fantee, a distance of fifty-two miles, and for this service, if satisfactorily performed, I engaged to pay a sum of 50*l.* to each of the two Kings.

I receive messages from time to time reporting the progress made, and the Kings have notified that the road will soon be ready for inspection.

3. I had also intended to make similar arrangements with the King of Abrah to clear that portion from Yancoomassie Fantee to Battayan, a distance of thirteen miles. and with the other Chiefs through whose territories the remaining eleven miles of road passes, granting remuneration at the rate of 2*l.* per mile. These grants I proposed to pay out of Vote No. 12 on the Estimates, "Aborigines."

4. The above arrangement, however, which I shall still carry out, can only be considered as an economical and temporary measure for preventing the misfortune of this road becoming overgrown or broken up through failure to attend to it in good time.

5. I do not think that the tribes themselves can be relied upon to contribute the steady labour necessary for the permanent maintenance of this road; I have, therefore, since the receipt of your Lordship's despatch, requested the Inspector-General to place working parties of police thereon, and I inclose a statement showing the number and strength of the parties, the extent of road allotted to each, and their stations, which were the halting-places of the troops in the late expedition. I also inclose a sketch of the road. I have instructed the Colonial Surveyor to supply the police with working tools, and Captain Baker, the Inspector-General, informs me that already several parties have been sent out, and that next week they will all be at their posts and at work. I will forward, for your Lordship's information, an early Report on the condition of the road.

6. I propose to relieve the police periodically, but not to grant them extra pay of any kind; and I hope that, with the assistance to be got from the tribes, the road may be kept up with comparatively little cost. This service might be made one of the conditions when granting the contemplated stipends to the Kings and Chiefs.

7. I see, by past estimates, that the amounts voted vary from year to year for the maintenance of the roads from Cape Coast to Anamaboe, of fourteen miles; to Beulah, of eight miles; to Elmina, of eight miles; and from Accra to Christiansborg, of two miles. The Colonial Surveyor is of opinion that once a road be put in fair order it may be kept up by one labourer, if constantly employed, for every two miles; that is, at a cost of about 6*l.* a mile, at the present price of labour. This I think rather a low estimate, especially during the rainy season, and your Lordship may observe that, on the road to the Prah, I have deemed it prudent, for the present, to exceed the Surveyor's calculation of one man for two miles.

8. The routes by which traffic from the interior may be expected to come to the coast are—

(1.) From Ashantee to Elmina, through the Wassaw country; this path has a branch, one leading westward to Apollonia.

(2.) From Ashantee to Cape Coast, through the Assin country.

(3.) From Ashantee to Accra, through the Akim country; and

(4.) It may be hoped that trade will find its way down the Volta to Addah.

9. The most considerable oil-producing districts are within the Protectorate, notably behind the ports of Winnebah and Salt Pond, from which places short roads inland would be most advantageous.

10. In the eastern districts much oil is brought from Croboe, Shai, and Aquapem countries, but the distances are somewhat considerable between these districts and the coast; however, with a good system and some assistance from the natives, it might become practicable to make and maintain roads into these districts, to be paid for out of the local Treasury.

* *Vide* No. 22 of Command Paper [C. 1006] of June 1874.

11. It will become my duty to address your Lordship more fully on the subject of new roads on a future occasion.

I have, &c.
(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 37.

Gold Coast Armed Police Force.

SCHEME of keeping the Roads clear from Cape Coast to Prahsu by the above Force.

Stations.	Number of Men.		Extent of Beat.	Distance.
	Non-Commissioned Officers.	Constables.		
Cape Coast	1	4	To Moree Road	Miles yds. 3 0
Juquabim	1	7	Moree Road to Assayboo	7 170
Aceroful	1	7	Assaboo to Dunquah	9 1,490
Yancomassie	1	7	Dunquah to Akukor-Insue	8 1,477
Mansu	1	10	Akukor-Insue to Acerofomu	13 1,235
Sutah	1	7	Acerofomu to Faysoowah	10 1,712
Assin Yancomassie	1	7	Faysoowah to Ackumfodie	10 1,140
Barracoe	1	7	Ackumfodie to 2 miles beyond Barracoe	7 556
Prahsu	1	4	From above to Prahsu	4 550
Total	9	60	.. ..	75 1,290

(Signed) A. W. BAKER, *Captain,*
Inspector-General of Police.

Cape Coast, May 5, 1874.

Inclosure 2 in No. 37.

Sketch showing the Road between Cape Coast and Prahsu.

No. 38.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 19.)

My Lord,

Government House, Cape Coast, May 25, 1874.

I HAVE the honour to acknowledge the receipt of despatch of the 30th April,* having reference to the Treaty of Peace with the King of Ashantee, in which your Lordship remarks that the Treaty had been brought down to Cape Coast by the King's "son and heir."

2. I would respectfully point out that your Lordship appeared to be under some misapprehension in this respect, as the heir to the King of Ashantee has not been sent down; it would indeed be a matter for congratulation if such had been the case, as showing a trustworthy indication of a sincere desire for a more civilized form of Government, as the King requested that his son, Prince Coffee Jutchee, might be sent to England and educated.

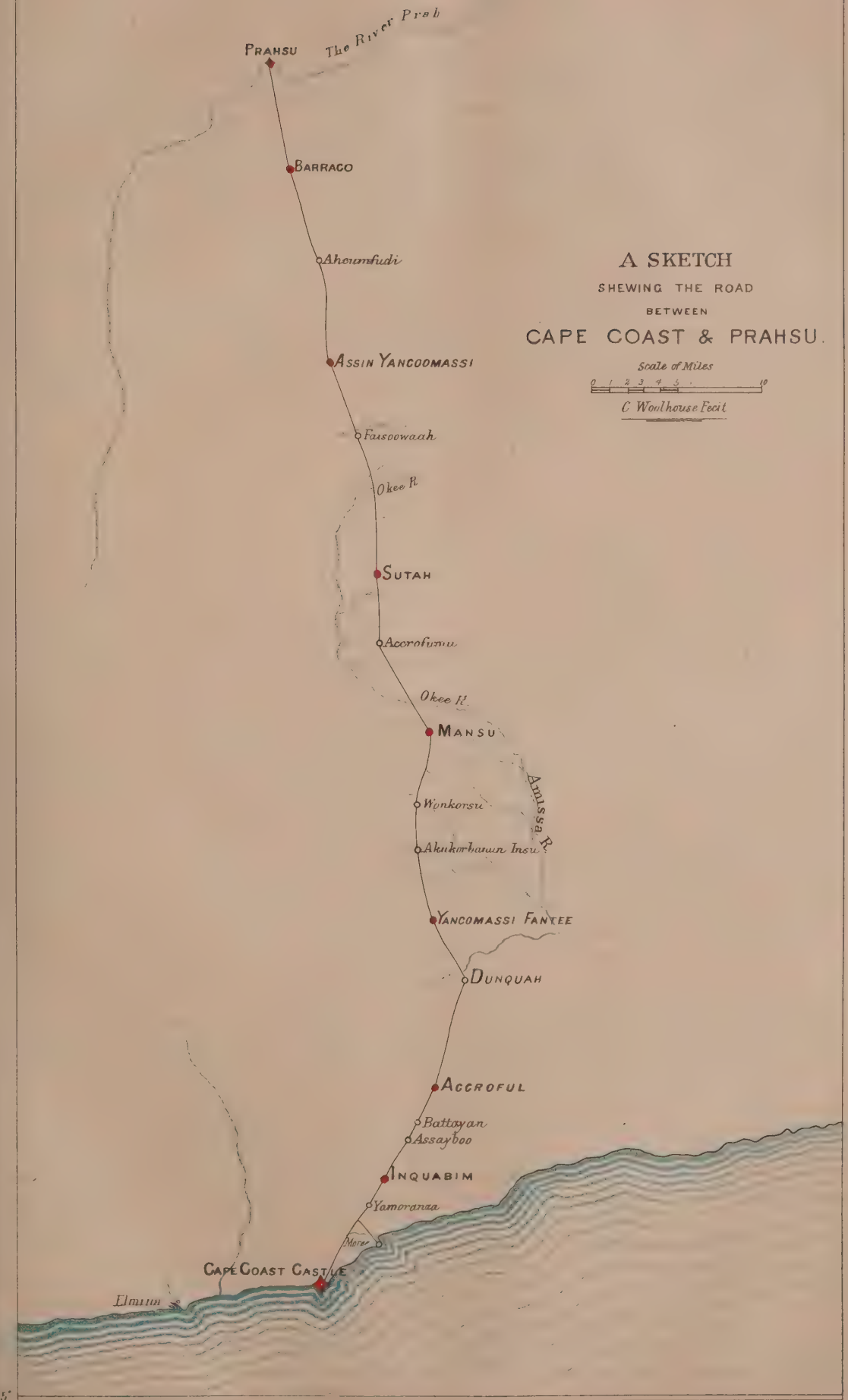
3. The succession to the throne of Ashantee does not descend to the son but the nephew of the reigning Monarch. Prince Mensah is the present heir.

4. I take this opportunity of respectfully drawing your Lordship's attention to the last paragraph of Colonel Maxwell's despatch of the 18th March.† Prince Coffee and the Ashantee Ambassadors still remain at Cape Coast awaiting a reply.

I have, &c.
(Signed) C. C. LEES, *Acting Administrator.*

* *Vide* No. 31 of Command Paper [C. 1006] of June 1874.

† No. 11 of same Paper.



The Officer administering the Government to the Earl of Carnarvon.—(Received June 19.)

My Lord,

Government House, Cape Coast, May 25, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 24th of April,* and to report that I have conveyed its contents to the Ambassador of the King of Ashantee now at Cape Coast.

2. The Ambassador asked that the question might be referred to England if at any future time a slave should run away from the King, whether he would be given up; he also expressed some disappointment that I had not received instructions to send the King's son home to be educated.

3. I have sent Dr. Gouldsbury to the Kings of Akim with the view to carrying out generally your Lordship's instructions. I inclose a copy of Dr. Gouldsbury's instructions.

4. I have thought this a good opportunity to make terms with the Aquamoos, and have taken advantage of the presence in those districts of so able an officer as Dr. Gouldsbury of endeavouring to do so, and thus to withdraw them from their alliance with the Ahwoonahs. I inclose a copy of my instructions on this subject, which I trust will meet with your Lordships approval.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 39.

Instructions for Dr. Gouldsbury with regard to the Kings of Akim.

YOU will proceed in the mail-steamer "Ambriz" to Accra, and thence through Aburi and Akropong to Akim.

2. The King of Ashantee desires that his people who have already deserted him may be compelled to return to their allegiance, and that the Kings of Akim be stopped from exciting further defection.

3. With regard to the first of these requests the King of Ashantee has been informed that it is impossible for Her Majesty's Government to require any persons or tribes formerly subject to Ashantee, who have voluntarily at the end of this war migrated into the Protectorate, to leave it, nor can they take any steps whatever to compel them to return to their allegiance.

4. On the other hand, Her Majesty's Government will clearly not sanction the detention, by the Kings and Chiefs within the Protectorate, of any hostages or other persons from Ashantee who are in custody against their will, and every means will be used to prevent the Kings of Akim or others from exciting dissensions and defections among the subjects of the King of Ashantee.

5. You will inquire whether any constraint is exercised upon any hostages or other persons from Ashantee to induce them to remain within the Protectorate, and in such case to insist upon their being set at liberty.

6. You will make the Kings of Akim distinctly understand that any endeavours to stir up further enmities with the Ashantees will not be tolerated; that it is Her Majesty's pleasure that henceforth they should live at peace with each other and with their neighbours, and that their obedience in this respect is the condition of the Queen's favour and protection.

7. Should you find any constraint exercised upon any persons from Ashantee to remain in the Protectorate, you will use your own discretion as to the best manner of insuring their liberty, either by having them escorted beyond the frontier of Akim, or bringing them for safe conduct through Cape Coast.

8. The Inspector-General of Police has been requested to detail 1 sergeant, 1 corporal, and 9 men of the Houssa Armed Police to accompany you.

(Signed) C. C. LEES, *Acting Administrator.*

*Government House, Cape Coast,
May 23, 1874.*

* *Vide* No. 21 of Command Paper [C. 1006] of June 1874.

Inclosure 2 in No. 39.

Instructions for Dr. Gouldsbury with regard to Aquamoo.

I AM aware that King Sackity, of Eastern Croboe, is connected by marriage with the Royal Family of Aquamoo.

2. On arrival at Accra, sent a letter and a messenger to King Sackity to ascertain if he is in correspondence with the King of Aquamoo, or is willing to communicate with the view to offering the latter the terms of the Draft Treaty prepared by Sir Garnet Wolseley. A copy of the Treaty is inclosed. The letter to be sent under cover to the Basle Mission at Odumase where King Sackity resides, with a request that its contents may be explained to the King.

3. Should you thus be able to communicate with the King of Aquamoo, request that some of his principal Chiefs may be sent to Odumase to negotiate the Treaty with you.

4. Should there be any Ashantees in Aquamoo offer to give them a safe conduct to their country through Cape Coast.

(Signed) C. C. LEES, *Acting Administrator.*

*Government House, Cape Coast,
May 23, 1874.*

Inclosure 3 in No. 39.

*Treaty of Peace, entered into at _____, this _____ day of _____, 1874,
between Valesius Skipton Gouldsbury, on the part of Her Majesty the Queen of
England, and the undersigned Representatives of the Aquamoo Nation.*

THE following Articles being fully discussed and understood, are agreed to :—

ARTICLE I.

That there shall be peace and friendship henceforth and for ever between the British and Aquamoo nations.

ARTICLE II.

That the River Volta shall be kept open for all lawful traders; and both parties to this Treaty shall use their best efforts to discourage any dishonest or unlawful interference with legitimate traders of whatever country or nation.

In proof of our truth and sincerity, we subscribe our names to this Treaty, a copy of which to be retained by each party.

No. 40.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, June 19, 1874.

I TRANSMIT to you the inclosed copies of correspondence with the Aborigines Protection Society respecting a paragraph which recently appeared in the "Manchester Guardian" on the subject of slavery on the Gold Coast.*

I have to request that you will furnish me with a report as to the correctness of the allegations in this paragraph.

I have, &c.
(Signed) CARNARVON.

No. 41.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 19, 1874.

I HAVE the honour to transmit to you copies of a correspondence with the War Office† from which you will learn that Her Majesty has been pleased to sanction the

* Nos. 31 and 35.

† Nos. 28, 33, and 34.

grant of the Ashantee War Medal to various officers and men not on full pay of the regular forces of the army and navy, who served during the late war.

I have to request that you will procure and forward to me as soon as possible an estimate of the number of medals likely to be required for this purpose, together with the number required for distribution to the men of the late native levies known as Wood's regiment, Russell's regiment, and Rait's artillery.

Great care must, of course, be exercised in identifying each person claiming to be entitled to a medal, and in seeing that his claim is fully established and not annulled by any subsequent misconduct or disobedience to lawful authority; and you should cause it to be understood that the issue of the medal will not be sanctioned in any case as to the merits of which Her Majesty's Government are not satisfied.

I have, &c.

(Signed) CARNARVON.

No. 42.

Aborigines Protection Society to Colonial Office.

*Aborigines Protection Society, 12, Lambeth Terrace, S.E.,
June 19, 1874.*

My Lord,

IN thanking your Lordship for the letter which Mr. Meade has been good enough to send me on the subject of the alleged sale of slaves in the British Settlements on the Gold Coast,* I beg to call your Lordship's attention to the fact that the "Manchester Guardian" pledges itself to the truth of the statements made by its correspondent at Cape Coast Castle. That highly respectable journal, in reverting to the subject in its issue of Wednesday last says:—

"That the state of things on the Gold Coast is as our correspondent has described it is unfortunately no matter of doubt. What we have published may be implicitly accepted as an unvarnished statement of facts, and Lord Carnarvon's attention cannot too soon be directed to the subject. The truth is, the whole condition of the Protectorate is deplorable, and we trust no time will be lost in giving a practicable shape to the scheme of Government recently sketched out by the Colonial Minister."

What the Committee of the Aborigines Protection Society feel is that so long as slavery is tolerated in the British Protectorate there can be no possible security against the practice of Slave-Trading. In other words, they do not believe that the Slave Trade will ever be got rid of on the Gold Coast, or elsewhere, until slavery itself is abolished.

The Committee will, I am sure, feel greatly indebted to your Lordship for forwarding to the Administrator on the Gold Coast the extract from the "Manchester Guardian."

I have, &c.

(Signed) F. W. CHESSON, *Secretary.*

No. 43.

The Officer administering the Government to the Earl of Carnarvon.—(Received June 20.)

My Lord,

Government House, Cape Coast, May 17, 1874.

I HAVE the honour to transmit for your Lordship's information a copy of a letter with enclosure, from Dr. Rowe, who has not been successful in entering into peaceful negotiations with either the Aquamoos or the Ahwoonahs.

2. The two Kings of Accra did not avail themselves of the offer to return in the steamship "Lady of the Lake," but remain at Addah. Their continued presence on the Volta will, I think, be inimical to an early and satisfactory arrangement being made with the above tribes, I shall therefore endeavour to effect their withdrawal from thence, and their return to their own homes.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 43.

Sir,

Cape Coast Castle, May 16, 1874.

I HAVE the honour to acknowledge the receipt of your letter No. 115, dated 29th April, 1874. I left Addah for River Volta on the 1st instant, bringing with me the few subordinates belonging to the Glover Expedition.

King Taki and King Solomon called on me before I left. They informed me that they had already left Sopie, and requested permission from me to remain at Addah, and negotiate with the hostile tribes on the left bank. I replied that with my departure from Addah, the whole of the disciplined force on the Volta, connected with the Glover Expedition, would be withdrawn; and that any authority they might have received from Captain Glover himself, or from any officer of his expedition, either to make war upon, or enter into negotiations with the tribes on the left bank of the river, would cease with that withdrawal.

I inclose you a copy of a memorandum I sent to Mr. Hansen on the 19th April, and I declined, on my last interview with the kings, to make any alteration in what I had there written.

I have, &c.

(Signed) SAML. ROWE, *Surgeon-Major,*
Chief of the Staff, Glover Expedition.

The Acting Administrator,
&c. &c. &c.

Inclosure 2 in No. 43.

*Memorandum by Dr. Rowe to Mr. Hansen.**Addah Forh, April 19, 1874.*

INFORM Taki, King of Accra, and the other chiefs assembled with him at Sopie, that I purpose leaving this camp for Accra, on Tuesday, the 21st instant; and that the whole of the disciplined force with the Glover Expedition will, on that day, be withdrawn from the Volta. That the time given for the return of the messengers from Aquamoo expired on the 15th instant; and that King Taki, and the forces with him, will at once peaceably disperse and return to their homes.

You will inform King Taki and King Solomon that they can return to Accra in the steamship "Lady of the Lake."

(Signed) SAML. ROWE, *Surgeon-Major,*
Chief of the Staff, Glover Expedition.

To Mr. Hansen.

No. 44.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 22, 1874.

I HAVE received and perused with great interest your despatch of the 23rd ultimo,* reporting the measures which have been taken for keeping open the road to the Prah.

The maintenance of these roads is the first condition to a better condition of things, and it is with great satisfaction that I observe the attention which you are devoting to so important a part of the internal administration of the Settlement.

I have to express my entire approval of your action in this matter.

I have, &c.

(Signed) CARNARVON.

No. 45.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 22, 1874.

I HAVE received your despatch of the 25th ultimo,* acquainting me that the son of the King of Ashantee who was sent down to Cape Coast with the Treaty of Peace is not heir to the Throne.

With reference to the last paragraph of your despatch, I have to refer you to my despatch of the 14th ultimo.†

I have, &c.
(Signed) CARNARVON.

No. 46.

Colonial Office to Aborigines Protection Society.

Sir,

Downing Street, June 24, 1874.

IN reply to your letter of the 18th instant,‡ forwarding a memorial from the Aborigines Protection Society, urging the abolition of the "pawn" system of slavery on the Gold Coast, and the more extensive employment of natives in Government situations, I am directed by the Earl of Carnarvon to acquaint you that the whole of the large question alluded to in the memorial is under his Lordship's consideration, and, surrounded as it is by very great difficulties, and requiring consideration and prudence in any attempt to deal with it, he entertains the hope that it may, under a new system of administration, be in his power to bring about a condition of things more consistent with English feelings and traditions than that which, from the force of circumstances, Her Majesty's Government have hitherto been compelled to tolerate on the Gold Coast.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 47.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 24, 1874.

I HAVE to acknowledge the receipt of your despatch of the 25th ultimo,§ and to express my approval of your having sent Dr. Gouldsbury to the Kings of Akim, and of the instructions which you gave to that officer.

I have, &c.
(Signed) CARNARVON.

No. 48.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, June 24, 1874.

I HAVE received your despatch of the 17th ultimo,|| respecting the state of affairs in the neighbourhood of the Volta.

2. Unless the two Kings of Accra have withdrawn from Addah by the time this despatch reaches you, I think they should be instructed to do so at once. But at the same time it will be only right that the Aquamoos and Ahwoonahs should be warned that any hostile proceedings on their part will be severely punished.

3. It is matter for consideration whether it would not be desirable to move up a body of Houssas to Accra, or some other convenient place from which to watch, and if necessary repel, any hostile movements on the part of the Eastern tribes. But I wish

* No. 38.

† Vide No. 39 of Command Paper [C. 1006] of June 1874.

‡ No. 35.

§ No. 39.

|| No. 43.

you to understand that these remarks are made subject to the discretion which circumstances may render it desirable for you to exercise.

4. In this, as in many other similar cases on the Gold Coast, it is a matter of extreme difficulty to give precise orders from home, as the success of any particular line of action will depend on the judgment of the officer administering the Government, and on the feeling of the tribes and the combination of circumstances at the time, all of which may undergo changes which it is impossible to foresee or to provide for in England.

I have, &c.
(Signed) CARNARVON.

No. 49.

War Office to Colonial Office.

Sir,

War Office, June 30, 1874.

WITH reference to your letter dated 29th May last,* transmitting copies of correspondence between the Earl of Kimberley and the Officer Administering the Government of the Gold Coast relative to the gratuitous issue to King Blay as a present of one of the surf boats sent out for the use of the Ashantee expedition, I am directed to acquaint you, for the information of the Secretary of State for the Colonies, that Mr. Secretary Hardy approves of the step taken with regard to the boat in question, and that sanction has been given for it being struck off War Department charge.

I have, &c.
(Signed) JOHN ADYE, *Brigadier-General,*
Director of Artillery.

No. 50.

Dr. Rowe, C.M.G., to the Earl of Carnarvon.

My Lord,

Medical Club, 9, Spring Gardens, July 1, 1874.

AT an interview which I had with Mr. Herbert some days ago he was good enough to say that your Lordship would be glad to receive a Memorandum from me on the choice of the future residence of the Officer Administering the Government of the Gold Coast.

To begin with Cape Coast, the present residence, which has certain advantages besides its central position :—

1. The castle, eligible as barracks for the military force and its officers.
2. The bungalows on Connor's Hill, for temporary residences of invalids of the military.
3. A comparatively comfortable residence at Government House for the Administrator.
4. Quarters (such as they are) occupied by the other officers of the Government, and hired houses for offices, justice halls, a prison, and hospital.
5. A population and market accustomed to supply, in some degree, the wants of civilized residents, and of a military force.
6. The habit of the native tribes—Fantee, Ashantee, and others—to consider Cape Coast Castle as the residence of head-quarters of the British Government on the Gold Coast.

In all these points Cape Coast is for the moment superior to any other place on the Gold Coast, and, in point of health, I fancy not much behind. It is only eight miles distant from Elmina by land. The journey can be made in two-and-a-half hours in a carriage or hammock. There is a fair road the whole distance, which only needs improvement by a better bridge over the Sweet River.

The other two stations suggested as residences are Elmina and Accra.

The choice between these places would seem to me to depend on the value set on the harbour at Elmina, and the ready communication from that place with the roadstead, and the vessels anchored there.

There is a fort there, as at Cape Coast, for the lodgement of troops, and residences for the subordinate officers of Government might probably be hired in town. There are

quarters set apart in the Castle for the residence of the Governor, but his permanent residence there would be productive of unpleasantness to all occupants.

First, and most worthy of consideration, the harbour at Elmina offers now safe and quiet anchorage to such small craft as steam launches, and there only can arrangements be made for any repairs necessary to them, it being the only port on the Gold Coast between Secondee and the Volta.

Next, a careful survey, by an officer anxious to develop the resources of the place, will show the present port to be capable of much improvement.

Two plans, both easy of appliance, would make much alteration.

1. Flood gates at the site of the present bridge, shut at high water, and opened at change of tide, so as to create a "scour."

2. A diversion of the course of the Sweet River from its present outfall to the Elmina harbour, by cutting a canal into the upper part of the stream forming the Elmina harbour.

At present even (with very rare exceptions) landing may always be safely effected at Elmina in a ship's boat, without the employment of a surf canoe. Those only who have experienced it can appreciate the advantages of not having to wait, tossing outside the surf line, for the canoe, and of avoiding the change from one boat to the other.

If it is the intention of Her Majesty's Government to keep a gun-boat stationed on the Gold Coast, the gain in the cordiality of the relations between the officer commanding the gun-boat and the Governor of the Colony, due to the naval officer being able to get ashore in comparative comfort at all hours, would of itself form a strong claim in favour of Elmina. The discomfort of living on board such gun-boats as the "Decoy," the "Merlin," the "Coquette," at anchor off any point along the coast, is very great; still greater on board such a ship as the "Eko" or the "Lady of the Lake."

I take it for granted that it is the intention of Her Majesty's Government to have a small steamer at the disposal of the Governor of the new Colony; and also that that officer shall avail himself of her presence to keep up frequent communication by sea with his outposts.

I doubt if it would be possible to keep the "Eko," or "Lady of the Lake," or "Nelly" for any length of time in a serviceable condition, without their going to some port of quiet anchorage; the rolling is so great and so continuous. To keep a native crew on board in good humour would be impossible.

There is a lofty hill within a day's journey of Elmina, and though the elevation is not so great as that of the hills to the north of Accra, it is still considerable.

But without wishing to go beyond the proper limits of this Memorandum, I take it to be much more necessary to the peace and prosperity of the Gold Coast that the Governor should arrange means for visiting and communicating with the outlying ports of his Government, than to plan for retiring from the sea-board to what may be a more pleasant residence. In no country in the world is personal supervision so necessary, and it is of the first importance that either the Governor himself, or a trusted and responsible officer, either as judicial assessor or district Magistrate, or under some such title, should visit the different tribes and Kings of the Protectorate, over whom we exercise some jurisdiction; and should by his occasional presence strengthen the hands of the civil Commandant of the outlying posts.

("En passant," I may say it will be a question on the removal of troops how these posts of Civil Commandant are to be supplied with officers?)

I deem this of the highest importance, and certain to be productive of the best results.

The sending of native policemen and native Chiefs, who are always open to improper influences, can never have the same effect as the presence of a white face.

At Accra the landing is as bad as at Cape Coast, but the town is a much more pleasant residence, and probably somewhat more healthy. There is the difficulty of water supply, as bad or worse than at Cape Coast Castle, and of food (stock).

The forts here, in comparison with those at Cape Coast Castle, Elmina, or Annamaboe, offer no accommodation.

They are capable of sheltering at most thirty or forty men, and that very imperfectly.

A wooden bungalow, the residence of the Civil Commandant, would temporarily accommodate the Governor; there would be some little difficulty in finding residences for officials.

The prison, justice hall, and hospital would necessitate fresh constructions.

Still the prospect of residence at Accra would be welcomed by all the Europeans. The plain behind Accra offers some sport. The road to Christiansborg good exercise.

Coast ponies will live there with care ; and it is a much more pleasant place than Cape Coast.

Aboodie and Akropong are distant a fatiguing hammock journey ; and all provisions excepting yams and sheep would require to be carried there.

I have not yet said anything about the Volta ; but if it be intended by Her Majesty's Government that Quittah and Jellah Coffee be brought directly under British rule, and that British authority be extended over all or parts of the strip of coast between the Volta and Lagos, it will be necessary to consider carefully the position of the Volta. Sir John Glover has done for the Volta what he did for Lagos ; he has shown the practicability of vessels passing the Bar, and already merchants are landing their goods on the river bank instead of on the sea beach.

There is high land easily reached from the Volta as from Accra (the Shai Hills). Stock is plentiful ; but above all there is water, and water communication with the sea and inland country, and a safe and quiet anchorage for vessels of 10 feet draught.

That the Governor of the Gold Coast will have little time to stay in the one place or the other will be seen at once, when he considers the extent of the territory under his authority ; but in the selection of a locality for his future residence, the question of easy communication with the roadstead seems to me to overbear all other considerations.

The appointment of a Civil Commandant at the head-quarters of the seat of Government, as at present at Accra, Elmina, &c., will much relieve the Governor, who now discharges many of the duties of Civil Commandant or town Major himself.

I have, &c.

(Signed) SAMUEL ROWE, *Surgeon-Major, &c.*

No. 51.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 3, 1874.

THE short time which has elapsed since you assumed the administration of the Government of the Gold Coast will hardly have enabled you to do more than to form a general opinion on the condition of the country, but I am nevertheless anxious to receive from you at an early date a report of the measures which in your judgment should be taken for the present maintenance of public order and for the future improvement of the country.

2. In the meantime I desire to call your attention to some questions which appear to me to demand an immediate consideration ; though in doing so I do not wish to be understood as restricting you in your Report to these points, or to do more than to indicate to you the outline of such administrative measures as seem to have at the present moment a special and primary significance, leaving it to you to fill in the details or to supplement my suggestions as the circumstances may render necessary.

3. And, first, as regards the organization of the armed police force, upon the efficiency of which the power of the Government either to maintain order or to enforce obedience to its enactments must depend. I have already, called your attention to this subject, and have stated my opinion that Major Baker, who at present commands the force at the Gold Coast, has shown himself fully qualified to retain the position which he holds with regard to the general force of the United Colony. You will, however, be good enough to consider what will be the most advantageous manner of employing this force so as to enable it, without undue increase of numbers, to maintain order among the natives, and to hold such points as will give an effective command of the country both as regards military and commercial operations. Upon the scheme which you propose to adopt will depend the manner in which it will be best to organize this body, and I shall be glad to learn your views upon the following points particularly :—

(a.) Whether the force should be formed into companies ; and if so, into what number, and of what strength ; whether these companies should be localized in particular districts or be available for general service ; and whether, in addition to Houssas, a certain number of Yorubas, Kossus, Bonnymen, and Fantees (these latter, perhaps, to be employed in the towns only) might not be enrolled in separate companies.

(b.) What proportion of white officers should be employed, and whether it would be advisable to insist upon any special conditions with regard to age and qualifications in candidates for these appointments. It is, perhaps, worthy of consideration whether it would be desirable to obtain officers who might engage to serve for limited periods,

during which they could be made supernumerary to their regiments, should the military authorities in this country be willing to sanction their employment. The Colonial service would, in such cases, be relieved from the necessity of providing pensions or future employment for them.

(c.) What should be the number of non-commissioned officers to each company, and what means you would consider it desirable to adopt to render the position of non-commissioned officers attractive to the rank and file, so as to secure a supply of the best men for these posts, which, since they will frequently carry with them the command of out-stations, should be held by skilled and thoroughly trustworthy men.

(d.) What system of recruiting, of promotion, of rewards, and of punishments should be adopted, and what, generally, should be the internal economy of the force.

(e.) Whether it would be desirable to arm the entire force with breech-loaders. It is on this head to be remembered that, in addition to the advantages of simplicity of drill and of increase of power derived from the use of these arms, the necessity for ammunition of a special description would render them useless in the hands of mutineers or deserters.

4. Apart from the consideration of expense, it is, I think, clear that the time has arrived when the defensive works at present existing on the coast may be advantageously reconsidered. The present forts are, I understand, in many cases very unhealthily situated, and afford insufficient and unsuitable barrack accommodation; while for purposes of defence they are ill adapted to local conditions, and some of them, at least, are in a bad state of repair. It will be well to consider the advisability of substituting for the forts, some of which might make good storehouses, some less expensive, but probably as effective, system of land defence, possibly by means of a stockade and blockhouses, which will provide against local disturbances or such attacks as are possible on the part of native assailants. In connection with this question that of the armament will naturally suggest itself to you. The guns at present in the forts are, I believe, of all calibres and kinds, but all useless for sea defence against even the most lightly armed modern vessel, and but ill adapted to repel attacks on the land fronts. It is for consideration whether the armament of whatever lines of defence are adopted, should not consist of light field guns (say the 7-pounder steel mountain gun), which, combining great mobility with considerable power, would seem well adapted for this particular service, and would form a valuable artillery reserve for employment in field operations. The present guns would most probably not be worth the expense of reshipping, and might be handed over to the Colonial engineer, to be used for any purposes for which they might be applicable. The large quantity of artillery stores at present on charge might be disposed of, and the variety and quantity to be kept in future might be very much diminished by a judicious selection of only such portions of the equipment of the guns as are likely to be really useful in such warfare as may be anticipated on the Gold Coast. In connection with this subject I may add that it will be very desirable, if it can be done, to form an artillery company in connection with the police force, to the head-quarters of which one or two Royal Artillery serjeants should be attached for the purpose of giving instruction in field artillery drill.

5. I am endeavouring to obtain the services of a thoroughly qualified officer to act as Colonial Engineer on the Gold Coast, and hope to be able to announce his appointment in a short time. I need not impress upon you that both the present well-being and future progress of the country will depend in a great degree upon the manner in which you may be able to turn to account the professional skill which I trust this officer will possess.

One of the earliest duties of the officer who may be sent out in this capacity will be to take measures in concert with you for the establishment of a station in the hills, either at or near the present Basle Mission of Akropong, or in some other suitable place, to which I referred in a statement which I recently made in the House of Lords, and the opening from thence to the coast of a sufficiently practicable road. I am informed that there are sites well adapted for this purpose at an equal elevation considerably nearer to the coast; if so they will deserve a very careful consideration. It will be the duty of the Colonial engineer, subject to your approval, to arrange for the erection of a line of telegraph from the inland station to the nearest coast town, and possibly for an extension both of road and telegraphic communication along the coast from the latter place to Elmina.

6. As soon as you have been long enough in the Colony to be able to form a judgment in the matter, it will be necessary that you should furnish me with such a

report as may enable me to form a definitive judgment on the relative merits of Accra and Elmina as the principal seat of Government.

7. As at present advised, I am inclined to believe that the preponderance of advantages, or, as it may perhaps be more correctly said, the least number of disadvantages, is to be found at Elmina. It seems certain that it is there that the Ashantees have long been accustomed to resort for trade, and it is at least to be considered whether, from that point of view, it is not desirable that the principal seat of Government should be placed there. It may be, however, a matter for local consideration whether the difficulty which is said to attend the landing at Accra, on account of the violence of the surf, might not be in some measure overcome by a floating breakwater, or by the use of improved surf boats, or some such expedients.

8. It will of course be an early and important part of the duties of the Colonial Engineer to take measures for the sanitary improvement and regulation of such of the Coast towns as we may occupy. It deserves to be seriously considered whether, in rebuilding any of the towns which have been destroyed, or, indeed, in any alteration that may be necessary, an open space should not be left, for the sake of keeping the European and native residences distinct, and for sanitary and military purposes.

9. I desire to take this opportunity of impressing upon you the necessity of controlling with a firm hand the expenses of Government. Although I consider that hitherto the establishments of these Settlements have been fixed upon too low a scale, and that this undue economy has led to much mischief, I look to you to take care that, in introducing a more liberal system, there shall be no divergence into extravagance. Whilst money may be liberally and judiciously expended upon the essentials of administration where the public safety is involved, or where even the returns are large and unquestionable, it is the duty of those who are at the head of affairs to insist upon a strict and consistent economy of public funds. Even with an increasing revenue there will be many and urgent calls upon the public purse for many years to come. You will also bear in mind that the vote which has just been taken in Parliament is in the nature of an advance, and that it is incumbent on the Colony to make future repayment if in any way practicable.

10. I have learnt with much satisfaction that 200 ounces of gold have been paid by the King of Ashantee as a further instalment of the indemnity due by him. It is of importance, politically even more than financially, that the King should be induced to adhere to the Treaty of Fommanah, and to perform the engagements which he has contracted, and I therefore leave it to your discretion to take such steps, as regards pressing him for payment of the rest of the indemnity, as circumstances may render advisable.

11. It will probably be desirable to arrange at an early date for the King's son to be sent to England for education.

12. With a view to the resumption of friendly relations it appears to me expedient that a mission should shortly be sent to Coomassie, or to the seat of the Ashantee Government, wherever that may be, and I should wish you to report to me, as soon as practicable, whether you think it advisable that you should go there in person, or, if not, whom you would recommend for this service. The main object of such a mission would be to cement friendly relations with the Ashantees, to make them understand that it is their interest, commercially and politically, to be faithful allies of this country, and that they have everything to gain by peace with their neighbours, by an abandonment of their barbarous customs, and by obedience to the terms of the Treaty. With the view of leading them to appreciate the friendly intentions of the British Government towards them, not less than from what is due both in justice and policy, it is your duty to repress in the sternest and most summary manner any attempts of the Fantees or other tribes to interfere with them or molest their traders on their journey through the interior towards the coast, in the prosecution of their lawful pursuits.

13. Assuming that Accra becomes the seat of Government, and not Elmina, it will be necessary that special care should be taken in the selection of the person in charge at Elmina, who will be in close connection with Ashantee traders. You should consider whether the course of trade is likely to receive any gradual diversion toward Accra. My present impression is that in these cases it is better not to interfere, at all events forcibly, with the old lines of communication, and that, certainly for any mere theoretical advantage, it would be injudicious to endeavour to force the trade into a new path.

14. I should hope that, as a result of the mission to Ashantee which I have contemplated, much valuable and particular information may be obtained respecting the

tribes to the north of that country, of whom at present very little is known, and that the mission may also tend to the establishment of our future relations with the kingdom of Ashantee.

15. When the Gold Coast Colony has been established, one of the first and most important duties that will devolve upon you, in conjunction with the new Queen's Advocate, will be to revise the existing laws of the Settlements, with a view to frame one simple body of laws for the whole Colony.

16. His attention should, in the first instance, be directed to the preparation of laws affecting the administration of justice, and, as at present advised, I should suppose that it will be found practicable to adopt, with the necessary alterations to suit the special circumstances in relation to the Colony, the Straits Settlements Penal Code of 1871 (as amended by Ordinance No. 3 of 1872), which is based upon the Indian Penal Code and the Straits' Settlements Criminal Procedure Ordinance No. 6 of 1873. With respect to civil causes, it may be desirable to adopt the Code of Procedure lately passed at Hong Kong (Ordinance 13 of 1873), which, so far as I am aware, has given entire satisfaction in that Colony. The Indian Evidence Act of 1872 will probably be found useful as embodying certain rules of evidence applicable both to civil and criminal cases.

17. I abstain at the present time from referring to other subjects which will have to be dealt with, and upon which the laws require consolidation and simplification, but the Customs and revenue laws and the law of insolvency and of imprisonment for debt seem to me to require a very early attention.

18. You will understand that these remarks apply to British territory only, and not to the protected territories, but I have it under consideration whether the time has not arrived for entrusting the Legislative Council with authority to exercise and give effect by Ordinance to such jurisdiction as Her Majesty may have under the Foreign Jurisdiction Act (6 and 7 Vict., cap. 94) in the last-mentioned territories. These powers, as you are aware, are now only partially exercised by the Judicial Assessor under the Order in Council of April 1856.

I have, &c.
(Signed) CARNARVON.

No. 52.

Colonial Office to Messrs. Swanzy.

Gentlemen,

Downing Street, July 4, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 16th ultimo.*

2. In reply, I am to point out that all the letters addressed by you to this Department have been presented to Parliament with the exception of the one of the 18th November last, which the Earl of Kimberley did not publish because he had your consent for taking that course.

3. I am to add that the Report of Captain Fremantle is included in the papers recently presented to Parliament respecting the Ashantee invasion (No. 9).

4. With respect to your claim for compensation on account of losses incurred at Seconde, I am to state that Her Majesty's Government are advised that the Colonial Government are not liable in this matter, but the Administrator was instructed to consider whether any fine, from which compensation might be made, could be levied upon the natives of Seconde. No reply has yet been received from the Settlement on this point, and Lord Carnarvon does not desire to be understood as expressing the opinion that the imposition of a fine would be proper or expedient.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 53.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 6.)

My Lord,

Government House, Cape Coast, June 8, 1874.

WITH reference to my despatch of the 4th May,† I have the honour to report that the Messenger Cudjo Sago returned on the 26th instant from Denkira

* No. 32.

† No. 16.

accompanied by Yar Pepreh, the heir to the throne of Adansi, and one other of the six hostages, and stated the King of Denkira sent them to refute the accusation of the Ashantee Ambassador that they were detained against their will.

2. I confronted the Ashantee Ambassadors with the two representatives of Adansi, who stated that though the Adansi people had not migrated into the Denkira country as it would put them to much inconvenience to do so, still they did not desire to return to their allegiance under the Kingdom of Ashantee, but to join with the Denkiras and be under the English Government, and that they were sent to live with the Denkiras as a guarantee of their King's good faith, that no restraint was imposed upon them and they were free to go to their own country when they liked.

3. The Ashantee Ambassador said he heard what the Adansi representatives had stated, and that hereafter it would be for King Aubin of Adansi, and the head people to say whether they would join with the Ashantees again.

4. I replied that the Ambassador must be well aware that the King of Adansi had made the arrangement entirely of his own accord with the King of Denkira, and that as Sir G. Wolseley had not suggested it, the Government could not in any way interfere to induce the Adansi tribe to return to their former allegiance.

5. As the four remaining hostages represent important Townships of Adansi, I have sent for them to prevent any misconception on the part of the Ashantees that the King of Denkira may be exercising coercion with regard to any of them.

6. I have also requested the King of Adansi to send down a person of rank and authority, that I may learn the truth of his present relations with the Denkiras.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

No. 54.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 6.)

My Lord,

Government House, Cape Coast, June 9, 1874.

I HAVE the honour to transmit a Report on Cape Coast, Elmina, and Accra, from a sanitary point of view, from Surgeon-Major Elliot, who is Acting Colonial Surgeon in the temporary absence of Dr. O'Reilly, who is performing Dr. Gouldsbury's duties at Elmina.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure in No. 54.

Sir,

Cape Coast Castle, June 9, 1874.

WHILE reading Lord Carnarvon's speech on his intended policy on the Gold Coast, in the paragraph which referred to the future seat of Government, I noticed a hesitation as to whether Elmina or Accra should be chosen as the official residence.

As I am thoroughly acquainted with Accra and its environs, and have, in fact, only just returned from a two months' residence there, I think it my duty, on sanitary grounds, to strongly recommend its adoption for the seat of Government.

The town is built along the line of the coast, and is swept daily and all day by a by a strong fresh breeze straight from the Atlantic; it is backed by open plains extending for about thirty miles to the foot of the hills, and, with ordinary sanitary precautions, is capable of being turned into a very healthy place. The appearance of the white merchant clerks, many of whom have resided there for four or five years, presents an extremely pleasant contrast to the wretched sallow look of that class in other places on the west coast.

One great advantage Accra possesses over any other station on the coast is the facilities it affords for exercise; horses live there with ordinary care, and you can walk over fresh undulating ground for miles. I have no hesitation in stating that it is the healthiest, and, in my opinion, the only healthy station on the west coast of Africa.

Moreover, if the residence of the officials is to be on the hills, which, indeed, I consider the most important part of the programme, for no one can long possess energy on the enervating coast line, Accra will be only a day's journey, easily accomplished either by hammock or on horseback, while to get to Elmina involves first the

journey to Accra and then a sea passage of sixty miles—no slight undertaking in this country.

As to the sanitary condition of the hills at the back of Accra, the appearance of the missionaries who reside there speaks for itself. I saw an old man at Accra the other day who had resided there, I think, for thirty years, and had the fresh pink colour of a country clergyman in England.

As far as Elmina is concerned, it may be, perchance, a little healthier than this vile place, but I doubt whether much will be gained in a sanitary point of view by moving the seat of Government to that place; there are, moreover, no hills in its vicinity, and its adoption will necessitate the giving up of the most important feature of the new scheme.

My strong conviction, founded on the bitter experience of some years' residence on this coast, that no change for the better can be effected until the unsanitary conditions under which officials live here has been thoroughly altered, must be my apology for addressing this communication to you.

I have, &c.

(Signed) A. F. ELLIOT, M.D., *Surgeon-Major,
African Medical Service, Acting Colonial Surgeon.*

His Excellency the Administrator,
Cape Coast Castle.

No. 55.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 6.)

My Lord,

Government House, Cape Coast, June 9, 1874.

I HAVE the honour to report, for your Lordship's information, that Commodore Sir William Hewett returned here in Her Majesty's ship "Active" on the 6th instant.

2. With reference to my despatch of the 9th May, I conferred with Sir William yesterday on the present state of affairs with regard to the Ahwoonahs and the occupation of Quittah, also of the continued presence of the Kings of Accra at Addah on the Volta, and we both arrived at the conclusion that it would be desirable to remove the Kings from the neighbourhood of the Ahwoonahs.

3. The Commodore has kindly offered to convey me in his ship to Addah to effect this, and afterwards take me to call off Quittah to endeavour to learn the feelings and desires of the Ahwoonahs with respect to making a Treaty.

4. I embark this afternoon, accompanied by Captain Baker, Inspector-General, and a detachment of armed police.

5. Her Majesty's ship "Coquette" will accompany the Commodore to bring me back to Cape Coast, where I hope to return in about three or four days.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

No. 56.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 6.)

My Lord,

Government House, Cape Coast, June 9, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 14th of May,* replying to the message delivered by the Embassy from the King of Ashantee, after the ratification of the Treaty of Fommanah, submitted to your Lordship by Lieutenant Colonel Maxwell in his despatch of the 18th of March.†

2. I have read and explained to the Embassy the reply to each question.

With regard to the first, they pressed for some more definite information of the time when the special Mission or Embassy would be sent to Coomassie.

I informed them that the Queen only contemplated doing so if the King's conduct continued to be upright and straightforward, and in accordance with the Treaty obligations; but had not yet determined the time, which would depend upon the amount of sincerity and friendship displayed by the King.

* No. 39 of Command Paper [C. 1006], June 1874.

† Vide No. 11 of Command Paper [C. 1006], June 1874.

It was some time before the Ambassadors seemed to appreciate that by this mission, and the delivery of suitable presents, it was intended that the King should understand that Her Majesty was disposed to put aside all recollection of past hostilities, and for the future to treat him as a friend and ally, and that this was the sole object in view.

3. With regard to the second reply, they merely stated that they understood it.

4. With regard to the third reply, they expressed themselves satisfied with the steps taken to ascertain whether the King of Eastern Akim was compelling subjects of Ashantee to renounce their allegiance.

The steps taken in this matter were reported to your Lordship in my despatch of the 25th May.*

5. With regard to the fourth reply, they expressed themselves somewhat disappointed at the impossibility of any compromise whatever being entertained.

6. With regard to the fifth reply, they appeared gratified that the Queen had been graciously pleased to consent to the King's son being educated in England, and informed me that he was between 15 and 16 years of age. That he would not succeed to the throne, it being impossible for a son of the King to do so, the heir being always the son of the King's sister. That the Prince might remain in England for his education as long as the Queen desired; and if for many years, Her Majesty, if she saw fit, might send him on a visit to his father, and to return again to England.

7. The Ambassadors requested me at once to take charge of the Prince and have him taught English, as they would now only await the arrival of Dr. Gouldsbury from Akim, and of some messengers whom they had sent to the King of Ashantee, after which they would return to Coomassie.

I have, therefore, arranged with the Colonial Chaplain that the Prince should lodge and board with his family, and attend the school.

I have, &c.
(Signed) C. C. LEES, *Acting Administrator.*

No. 57.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 10, 1874.

I HAVE received your despatch of the 9th ultimo,† reporting that you had communicated to the Ashantee Ambassadors the reply to the message sent by the King of Ashantee.

Although it is quite possible that the Embassy understood the effect of the answers, they may, either purposely or from a want of a clear apprehension of the subject, fail to make the King fully understand the purport of those answers. Unless, therefore, there are any objections which your local knowledge, or the present position of affairs, may suggest to you, it will, perhaps, be desirable to embody the general substance of my despatch of the 14th May in a letter to the King.‡

I have to express my approval of the steps which you have taken for the temporary maintenance and education of the King's son. Further instructions on this subject shall be addressed to you at an early opportunity.

I have, &c.
(Signed) CARNARVON.

No. 58.

Colonial Office to Dr. Rowe, C.M.G.

Sir,

Downing Street, July 11, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 1st instant,§ and to thank you for your valuable and interesting report on the choice of a place for the future seat of government on the Gold Coast.

I am, &c.
(Signed) R. H. MEADE.

* No. 39.

† *Vide* No. 11 of Command Paper [C. 1006], June 1874.

‡ No. 56.

§ No. 50.

No. 59.

Colonial Office to Sir J. Glover, G.C.M.G.

Sir,

Downing Street, July 13, 1874.

I AM directed by the Earl of Carnarvon to transmit to you, for any remarks with which you may like to furnish his Lordship, a copy of a report from Dr. Rowe on the choice of a place for the future seat of Government on the Gold Coast.*

I am, &c.

(Signed) R. H. MEADE.

No. 60.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 16.)

My Lord,

Government House, Cape Coast, June 19, 1874.

HAVING reference to the 5th paragraph of my despatch of the 23rd May,† I have the honour to transmit to your Lordship a copy of a report from Captain Baker, Inspector-General of Police, on the condition of the road from Cape Coast to Prahsue.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure in No. 60.

Detailed Report of Roads from Cape Coast to Prahsue.

FROM Cape Coast to Moree Road 3 miles.—Nearly completed by the Cape Coast people.

From Moree Road to Assayboo, 7 miles 170 yards.—Cleared by the police with the help of the villagers on the route.

From Assayboo to Dunquah, 9 miles 1490 yards.—Two bridges broken down between Akroful and Dunquah, and are in the course of repairing by the police stationed at Akroful, but the roads are all cleared, the Abrahs having assisted.

From Dunquah to Akukorbonum Jusu, 8 miles 1477 yards.—Two trees are down between Techii and Yancoomassie; the broken bridge at Yancoomassie repaired by the police; two more damaged bridges in course of repair. The natives do not give much help to police stationed at Yancoomassie.

From Akukorbonum Jusu to Accroformu, 13 miles 1235 yards.—One bridge at Wonkorsu was repaired by the Houssas stationed at Mansue. The road is cleared and in good repair; Echri bridge is not yet repaired.

From Accroformu to Faysoowah 10 miles 1712 yards.—Bridge at Accroformu broken down, as also several small ones near Faysoowah; but the roads are all cleared and within a week the bridges will be all right again.

From Faysoowa to Ackomfodie 10 miles 1,140 yards.—Two large trees down between Assin Yancoomassie and Ackomfodie but have been cut up; but the roads are very marshy.

From Akomfodie to two miles beyond Baracoe 7 miles 550 yards.—One bridge down near Baracoe, and all the low grounds muddy on account of the rains which stopped the progress of the working parties.

From above to Prahsue 4 miles 556 yards.—Several trees that fell across the road were cut up by the Houssas at Prahsue, but the rains prevented the clearing of the roads.

(Signed)

JAMES O. PETERS,

*Chief Interpreter, Houssas.*A. W. BAKER, *Captain,**Inspector-General of Police.**Cape Coast, June 19, 1874.*

No 61.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 16.)

My Lord,

"Active," at sea, June 23, 1874.

I HAVE the honour to report to your Lordship that I embarked in Her Majesty's ship "Decoy," on the 20th instant, called at Addah Foah, and took the Kings of Accra, Christiansborg, and Addah on board, and proceeded to Jellah Coffee, where I arrived on the 21st, and found the flag-ship and Her Majesty's ship "Coquette."

2. The Chiefs and headmen of Ahwoonah had assembled at Jellah Coffee, and a meeting was arranged to take place there the following day, the War Chieftain Aholu was, however, declared too unwell to be present.

3. On the 22nd instant, Sir William Hewett and myself landed, accompanied by six officers, a boat's crew (who were armed with revolvers), and 24 kroomen. The Kings were also landed, and, as the Chiefs of Ahwoonah were assembled to receive us, the Conference at once began.

4. The Articles of the Treaty were fully discussed and agreed to, it was difficult to prevent excited discussion of past acts alleged to have been committed by each side. After about five hours, however, everything was amicably arranged, and the Kings we had brought with us, except King Narku of Christiansborg, who was too ill to leave the ship, and the Chiefs of Ahwoonah eat "fetish" together, and swore to uphold the Treaty and to submit any future disputes that might arise for the decision of the Government. I inclose a duplicate of the Treaty which is similar to the draft one proposed to be made, and which I have already had the honour to transmit to your Lordship.

5. The Chiefs acquiesced readily in having an officer stationed at Quittah, but did not seem to like so large a force as 100 Houssa policemen accompanying him. As the Commodore concurred with me as to the desirability of at once effecting the occupation, I landed this morning and engaged two of the best houses I could as quarters for the officer and men, and the "Active" is now on her way to Cape Coast for the purpose of bringing them down.

I hope to overtake the mail-steamer at Cape Coast, when I will avail myself of the opportunity to forward this despatch.

I shall station Captain Baker, the Inspector-General of Police, at Quittah, but will relieve him as soon as I am in a position to do so.

6. I regret to say that an accident occurred while landing through the surf at Jellah Coffee yesterday, through which the Commodore nearly lost his life. As the surf boat grounded a sea struck her heavily, Sir William was thrown overboard, and the boat washed on to him. I am happy to be able to report, however, that he sustained no serious injury.

7. I inclose a copy of a letter I have addressed to the Commodore, thanking him for the services of Sub-Lieutenant Stephens, whom he kindly placed at my disposal, and I desire to inform your Lordship of the hearty co-operation and assistance I have received from Sir William Hewitt, to whom I am altogether indebted for the successful termination of these negotiations.

I have, &c.

(Signed) C. C. LEES, *Acting Administrator.*

Inclosure 1 in No. 61.

TREATY of Peace entered into at Jellah Coffee, this 22nd day of June, 1874, A.D., between Kings Takie and Solomon of Accra, King Dosoo of Addah, and Charles Cameron Lees, Esq., Acting Administrator of Her Majesty's Government on the Gold Coast, and Commodore Sir William Nathan Wrighte Hewett, V.C., K.C.B., Commanding the West African Squadron, on behalf of Her Majesty the Queen of England, on the one part, and the undermentioned representatives of the Ahwoonah nation on the other part, namely:—

Adjaba, Chief of Ahwoonah; Folu, Chief of Jellah Coffee; Cocumay (for Aholu), War Captain of Ahwoonah; Tameklo, Chief of Hoolay; Joseph Akrobolu, Chief of Teroboy; Tingee, Captain of Anyako; Tubolu, Interpreter; Afadee, Interpreter;

Gelo (for Amegashy), Chief of Quittah; Posoo, Captain of Jellah Coffee; Antiquo, Chief of Anyako; Agudogo, Chief of Fiaho; Agblevo, Chief of Atiave; Nyaho, Chief of Salame; Letsha, Chief of Aveno; Saba, Chief of Afyarengba; Mogolu, Chief of Feta; Amedomy (for Antonio), Chief of Whey.

The following Articles, being fully discussed and understood, are agreed to :—

ARTICLE I.

That there shall be peace and friendship between the represented nations henceforth and for ever.

ARTICLE II.

That the River Volta shall be kept open for all lawful traders; and both parties to this Treaty shall use their best efforts to discourage any dishonest or unlawful interference with legitimate traders of whatever country or nation.

ARTICLE III.

With the view to remove any doubts which the natives might entertain as to the right of Her Majesty the Queen of England to occupy Jellah Coffee, Quittah, and any other places deemed necessary to be held in order to place the Ahwoonah country or any portion of it under the same jurisdiction as is exercised by Her Majesty over the other portions of the Gold Coast,

It is hereby further agreed that, should it seem fit to Her Majesty's Government they shall occupy any such places as may appear to them expedient, for and on behalf of Her Majesty the Queen of England.

In proof of our truth and sincerity, we subscribe our names to this Treaty, a copy of which is to be retained by each party.

(On the part of Her Majesty the Queen of England.)

(Signed) C. C. LEES, *Acting Administrator of Her Majesty's Government on the Gold Coast.*

W. N. W. HEWETT, *Commodore and Senior Officer of the West African Squadron.*

KING TACKIE, his ✕ mark, *King of Accra.*

EDWD. SOLOMON, *King of Accra.*

KING DOSOO, his ✕ mark, *King of Addah.*

ADJABA, his ✕ mark, *Chief of Ahwoonah.*

FOLU, his ✕ mark, *Chief of Jellah Coffee.*

COCUMAY, his ✕ mark, *for Aholu, War Captain of Ahwoonah.*

TAMEKLO, his ✕ mark, *Chief of Hootay.*

JOSEPH AKROBOTU, his ✕ mark, *Chief of Seroboy.*

TRINGEE, his ✕ mark, *Captain of Anyako.*

TUBOLU, his ✕ mark, *Interpreter.*

AFADEE, his ✕ mark, *Interpreter.*

POSOO, his ✕ mark, *Captain of Jellah Coffee.*

ATIQUEO, his ✕ mark, *Chief of Anyako.*

AGUDOGO, his ✕ mark, *Chief of Fiaho.*

AGBLEVO, his ✕ mark, *Chief of Atiave.*

NYAHO, his ✕ mark, *Chief of Salame.*

SABA, his ✕ mark, *Chief of Afyarengba.*

MOGOLU, his ✕ mark, *Chief of Feta.*

GEBO, his ✕ mark, *for Amegashy, Chief of Quittah.*

AMEDOMY, his ✕ mark, *for Antonio, Chief of Whey.*

LETSHA, his ✕ mark, *Chief of Aveno.*

Witnessed :

(Signed) H. C. W. GIBSON, *Secretary to Commodore Sir William Hewett.*

ABR. AUGUSTT, *Contractor, Jellah Coffee.*

CH. ROTTMANN, *Agent of British Factory.*

THOS. D. WILLIAMS.

Inclosure 2 in No. 61.

Sir,

"Active," at Jellah Coffee, June 21, 1874.

THE Treaty of Peace which has this day been entered into by the British, Accra, and Addah Nations and the Chiefs of Ahwoonah, having concluded in a most satisfactory manner the negotiations which, by aid of your hearty co-operation, I was, in the face of many difficulties, successful in instigating.

I have the honour to bring before your special notice the services of Sub-Lieutenant Stephens, whom you were so good as to nominate to undertake those duties which would have devolved upon a Colonial officer, had I had one at my disposal, and beg you will convey to him my thanks for the material assistance he has throughout afforded me.

I have, &c.

(Signed)

C. C. LEES, *Administrator*

Commodore Sir William N. W. Hewett, V.C., K.C.B.,
&c. &c. &c.

No. 62.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 16, 1874.

I have received your despatch of the 9th ultimo,* reporting the arrival of Commodore Sir W. Hewett, in Her Majesty's ship "Active," and your intention to go to Addah and Quittah, with the view of endeavouring to negotiate with the Ahwoonahs.

From my despatch of the 24th June,† you will have learnt my opinion with respect to the removal of the Kings of Accra, and the moving up a body of Houssas to Accra, or some other convenient place, for carrying on negotiations or repelling any hostile attack on the part of the Eastern tribes.

I shall await with interest the report of your further proceedings.

I have, &c.

(Signed)

CARNARVON.

No. 63.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 16, 1874.

I HAVE to acknowledge the receipt of your despatch of the 9th ultimo,‡ forwarding a report by Dr. Elliot on the relative merits of Cape Coast, Elmina, and Accra from a sanitary point of view.

I transmit to you, for your consideration, a copy of a Report from Dr. Rowe§ on the choice of a place for the future seat of Government on the Gold Coast..

I am aware that Lieutenant Bale has given much consideration to the qualifications of Elmina.

I have, &c.

(Signed)

CARNARVON.

No. 64.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 17, 1874.

I HAVE received your despatch of the 8th ultimo,|| reporting that two of the Adansi hostages had arrived at Cape Coast, and had denied that they were detained by the King of Denkira against their will.

I approve of the steps which you have taken to remove the idea entertained by the Ashantees that the Adansis were being coerced into alliance with the King of Denkira, and I shall await your report of the result of your interview with the remaining hostages for whom you have sent.

* No. 55.

† No. 48.

‡ No. 54.

§ No. 50.

|| No. 53.

I observe that the two representatives of Adansi stated that their tribe "had not immigrated into the Denkira country," but that they desired "to join the Denkiras, and be under the English Government." I have to point out that Her Majesty's Government are not prepared to sanction any extension of the limits of the British Protectorate, and that they cannot enter into any relations which would involve a claim to protection with any tribe dwelling beyond those limits.

I have, &c.
(Signed) CARNARVON.

No. 65.

Admiralty to Colonial Office.

Sir,

Admiralty, July 18, 1874.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, the duplicate of a despatch, with its inclosures, received from the Commodore in command of Her Majesty's ships on the West Coast of Africa, reporting the attempts made to restore peace in the eastern districts of the Gold Coast Protectorate.

I am, &c.
(Signed) ROBERT HALL.

Inclosure 1 in No. 65.

Sir,

"Active," off Whydah, June 19, 1874.

I REQUEST you will inform the Lords Commissioners of the Admiralty that, having previously embarked the Acting Administrator of the Gold Coast and two Ashantees of distinction whom he requested might accompany him, I left Cape Coast in the "Active" on the evening of the 9th instant, and, carrying out the intention expressed in the postscript to my last general letter, proceeded with the "Decoy" in company to visit the towns on the eastern seaboard of the Protectorate, with a view to co-operate with the Acting Administrator and assist him in his endeavours to restore peace to the tribes inhabiting those districts.

2. On our arrival at Addah-Foah the following day, the Administrator landed, and held a palaver with the principal Chiefs of the Accra and Addah people, who had been informed of our coming by a messenger I sent on before in the "Coquette."

3. After dwelling upon the important services they had rendered during the late operations on the Gold Coast, and congratulating them on the victories they had achieved in Ahwoonah, it was explained to them that a Treaty of Peace having been entered into between Her Majesty and the King of Ashantee, the war was now at an end, and all that remained to be done was to re-establish peace between themselves and the tribes that were inimical to them; to which end it was necessary that they should at once cease their petty hostilities, dismiss their fighting men, and return quietly to their homes.

4. King Tackie, of Dutch Accra; King Solomon, of English Accra; and Anarku, King of Christiansborg, were next brought to task for their open defiance of the repeated orders to this effect, which were sent to them on Glover's force being disbanded and subsequently; as also for their dishonest interference with lawful traders on the Volta, by levying illegal imposts on produce passing down the river whenever they managed to waylay it; and informed that, as they had proved themselves unworthy to be trusted, it had been decided to convey them back to their proper towns in a man-of-war so soon as the negotiations about to be entered into with the Ahwoonahs should be concluded.

5. As was to be expected, they demurred greatly at this arrangement, alleging that they would lose caste were they not to return to their towns by land, according to their custom. Firmness, however, on the part of the Administrator (assisted, probably, by the fear they entertained of the consequences which might ensue upon their refusal to comply) produced the desired effect upon them, and they accordingly embarked on board the "Active" the same evening. Dosoo, King of Addah, was also persuaded to accompany them; and we were thus successful in our plan of bringing

together all parties who would be concerned in any Treaty which we might induce the Ahwoonahs to agree to.

6. The next day I proceeded to Jellah Coffee, but, on my being warned that it would not be prudent to land at present, I did not go ashore myself, but sent the Ashantees to interview the Chiefs of the place. After a lapse of a few hours they returned to the ship, having been unable to arrange anything. Consequently I got under weigh and went on to Quittah, where I placed myself in communication with Mr. Rottmann, the agent of the Bremen Factory, and other European residents there, in the hope that with their assistance I might succeed in holding a palaver.

7. The correspondence which took place on the subject (copies of which I inclose) resulted in my acquiescence to the wish they expressed for the people to be granted a respite of a week, so that they might have opportunity to secure the presence of Aholu, the principal War-Chief, who I insisted should attend (the power of the War-Chiefs and fetish priests amongst these people being greater than the King's in controlling the popular will), and on the morning of the 15th instant I proceeded under sail to leeward.

7. The "Coquette" and "Decoy" conveyed back to Cape Coast the Acting Administrator and those who had accompanied him, excepting one of the Ashantees, who was left behind to wait my return in the "Active," and will doubtless be of service in spreading abroad the news of King Coffee's defeat, which is not universally credited in this district.

The Accra Kings were also sent back to Addah in the "Decoy," and will be brought down again when she returns with the Administrator on the 21st instant.

8. The great obstacle in the way of concluding a Treaty with the Ahwoonahs at present is, that having sworn to assist the Ashantees in their war, and having eaten fetish with them on the subject, they cannot, according to their custom, make peace with us until their hostages, now in Coomassie, are sent back. I think, however, that the intervention of the principal* of the Ashantee Ambassadors sent to Cape Coast after the fall of Coomassie, who the Administrator will bring with him when he returns to Quittah, may possibly overcome it.

9. On the afternoon of the 16th I arrived at Lagos and landed the next morning to visit the Administrator. He informed me that affairs were quiet in the immediate neighbourhood, but that it would be as well to make some demonstration off Culani (or Appi Vista), the seaport of Porto Novo, where the natives had been somewhat troublesome of late. I accordingly remained there for a few hours on my way up the coast, and exercised at general quarters firing at a target.

10. I arrived here yesterday, and am on the point of sailing for Jellah Coffee, where I shall, in all probability, arrive to-morrow morning.

11. During my cruize I have taken care to intimate my presence to the natives by keeping well in sight of the coast during the day, and anchoring at the important places at night.

12. The development that has taken place in the trade of Lagos since I last visited that place some years ago is surprising, and I am assured that it is fast increasing.

To illustrate the extent of the business that must be carried on I have but to mention that no less than fifteen merchant vessels were lying at anchor outside the bar when I left, all of which were either receiving or discharging cargoes.

At all the other important places, too, between Cape Coast Castle and Lagos, I noticed a number of craft seemingly carrying on a brisk trade.

I have, &c.

(Signed) W. N. W. HEWETT, *Commodore*.

P.S.—June 21, 1874. *Jellah Coffee*.—Arrived at this anchorage yesterday forenoon, and am pleased to be able to report that the principal Kings and Chiefs have assembled here in order to hold a palaver.

Captain C. C. Lees, the Acting Administrator of the Gold Coast is present, having come down from Cape Coast in the "Decoy" to-day.

The "Coquette" reached here this morning, and brought me their Lordships' despatches, forwarded by the mail of the 23rd May from Liverpool. The Kings of Accra and Addah also arrived in this gun-boat.

The despatches sent a week later, addressed to the Senior Naval Officer on the Coast, were received by me per "Decoy."

* P.S.—June 21, 1874. The principal ambassador could not be persuaded to come, but Captain Lees has brought with him another of sufficient importance for the object in view.—W. N. W. H.

I shall communicate the result of the palaver, which will be held to-morrow, and which, there is every reason to believe, will be satisfactory, by the first possible opportunity.

Captain Lees informs me that that energetic officer, Dr. Gouldsbury, has executed his mission to the Aquamoos most satisfactorily, and has succeeded in concluding a Treaty of Peace with them in the terms of a draft prepared by Sir Garnet Wolsley.

W. N. W. H.

The Secretary to the Admiralty.

No. 66.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 20, 1874.

I HAVE to express my approval of the steps which you had taken, on the receipt of my despatch of the 15th May, to suspend the further erection of the wooden houses sent out to Cape Coast to serve as public buildings.

I have, &c.

(Signed) CARNARVON.

No. 67.

Colonial Office to Admiralty.

Sir,

Downing Street, July 22, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 18th instant,* forwarding a report from Commodore Sir W. Hewett of the conclusion of a Treaty of Peace with the Ahwoonahs, which was signed at Jellah Coffee on the 22nd June.

I am to express to the Lords Commissioners of the Admiralty the high sense which Lord Carnarvon entertains of the valuable services rendered by Sir W. Hewett and Sub-Lieutenant Stephens on this occasion.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 68.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 24, 1874.

I HAVE received Captain Lees' despatch of the 19th of June,† reporting on the state of the road from Cape Coast to Prahsue.

2. This report contains evidence of commendable activity on the part of the Houssa Police, and I am glad to observe that their Inspector-General, Captain Baker, continues to give such intelligent interest to the matter.

3. I regret to observe that the natives of (Fanti) Yancoomassie have not given much help to the police stationed there. Care should be taken to keep them alive to the necessity of discharging a duty which so peculiarly belongs to them, and unless care is taken at first with them in this respect it will probably be all the more difficult in future to bring them back to their duty.

4. I observe that the bridges over many of the streams are broken or in need of repair, and I fear that in every rainy season they must be subject to similar injury. This being so, the question arises whether it is worth while to maintain all of them in that state of efficiency in which they were originally placed by the Royal Engineers for the passage of Her Majesty's troops. There are no beasts of burden in this part of the Protectorate, and those persons who will chiefly use the path will be the naked carriers of the country, bearing trade produce or hammocks containing its more civilized inhabitants. And whilst I attach particular importance to keeping this great trade-path free of bush and timber, I am inclined to doubt the necessity of

* No. 65.

† No. 60.

carrying it by bridges over all the inconsiderable streams of the country, and it might be of greater advantage to spend the money which this would cost in facilitating the passage of the Prah, which, unbridged as it now I believe is, must form a very considerable obstacle to the trade (which I hope may soon assume considerable proportions) between the country beyond the Prah and the British Protectorate.

5. Whether this object should be attained by means of a pontoon bridge, removable upon fear of invasion, or an efficient ferry, is a matter for local decision, depending in great degree on military considerations.

6. I request that you will give your attention to these matters, and report to me what you consider ought to be done.

I have, &c.
(Signed) CARNARVON.

No. 69.

Mr. Swanzy to Colonial Office.

My Lord,

122, Cannon Street, E.C., July 27, 1874.

I HAVE the honour to acknowledge receipt of your Lordship's letter of the 4th instant* addressed to my firm, and I take the liberty of replying to it, and to Captain Fremantle's Report of the 18th January last, in my own name, as the latter is evidently a personal attack on myself. Twice I applied to the Lords Commissioners of the Admiralty for a copy of that Report, but it was refused, and I was thus deprived of the opportunity of answering it until it was published.

It is not so much, my Lord, of the omission of any particular letter that I complain as of the omission of known facts; I am not sufficiently acquainted with the routine of a public office to say whether facts unofficially known can be publicly stated even when they affect the character of a person officially charged with certain acts.

Finding they could not sustain their accusations against me with reference to Grand Bassam, my accusers now rely on the fact of my shipping large quantities of guns and gunpowder during the war, but I most positively assert that I told the gentlemen of your Lordship's Department of my intention to do so, and I distinctly remember two occasions, although I do not remember the exact date. On one occasion I saw the Honourable Mr. Meade, and told him of a quantity of Government ammunition shut out of one of the African Company's steamers, and I then stated that I was sending out large supplies. On another occasion I complained to Mr. Herbert of the short supplies granted by the Administrator to the Fantees; he replied that Colonel Harley must retain sufficient for the defence of the Castle, and I told him that I was sending out considerable quantities; and I repeat my previous assertion that Colonel Harley was informed of all consignments of munitions of war expected by my Agent. What then becomes of this fresh charge against me? What I did was openly done, and with the knowledge of your Lordship's Department of my intention to ship these things, as well as the fact that I had shipped them.

Your Lordship and the gentlemen named will, I hope, pardon my allusion to these matters. I am bound to use all honourable means to defend my character although these means may not be strictly official.

And now, my Lord, I turn to Captain Fremantle's letter, which I must say is somewhat confused in its language, though quite clear in its intent; and passing over the three first paragraphs, I come to the fourth, which sufficiently proves the animus of the writer. In it Captain Fremantle informs his superior officer that I am the principal trader on the Gold Coast, and adds, "every other trader has always told me that he is obliged to follow Mr. Swanzy's lead, whether in the mischievous practice of making advances to the natives, &c., &c." Singular enough, my Lord, I was the first London trader to send out goods for direct sale on my own account, and as for "every other trader," he follows my lead when it is to his advantage to do so.

In paragraph 5 Captain Fremantle says, "I wish entirely to exonerate Mr. Cleaver in any share of these remarks;" by which, I presume, he means that he does not include Mr. Cleaver among those persons in my service to whom he attaches blame. The reason of this is obvious; desirous on the one hand of fixing the responsibility on myself of all the misdoings of my Agents, he is anxious to prevent my receiving any share of the credit due to them for services rendered to Her Majesty's

Government, even when rendered by my express orders. In this instance, however, Captain Fremantle's exoneration is strangely unfortunate, as Mr. Cleaver happens to have indented for the guns, &c., and was in my office in London when they were shipped.

In paragraph 6 Captain Fremantle returns to Mr. Swanzy's conduct, and then says, "We find the Agents in active opposition to the Government of the Gold Coast, and appeals to "notoriety" as to the state of feeling between Colonel Harley and Mr. Swanzy's Agents to prove this statement. And this, my Lord, is the gist of the whole matter; it is to Colonel Harley's feelings towards my then Agent, Mr. Lyall, that I attribute all the charges brought against me, but the word "opposition" does not describe the feeling of my Agents towards Colonel Harley; there was, my Lord, nothing to oppose. In his letter of the 23rd June, 1873, to Lord Kimberley, he speaks of the traders of Cape Coast being "full of alarm and fear, without taking any steps that he was aware of to either assist the Government or help themselves." The fact is, my Lord, Colonel Harley shut himself up in the fort, whereas the merchants failing to obtain assistance formed a Committee of Defence without the help or encouragement of the gallant Governor. What are the feelings naturally arising from such conduct? certainly not opposition; but I distinctly deny that any of my Agents were opposed to Her Majesty's officers; it is notorious that they were always ready to assist them as far as lay in their power; I repeatedly sent instructions to that effect, and many of her Majesty's officers have expressed their thanks to me for the attention paid them by my Agents.

On my own part, I beg to answer Captain Fremantle's question as to the course pursued by myself personally. From the very commencement of the War to the time when Colonel Harley's first charges were brought against me, my personal attendance at the Colonial Office was at the disposal of your Lordship's predecessor, or indeed any of Lord Kimberley's staff, and I have good reason to believe that some of the information I gave was not entirely useless; but when it became evident to me that Colonel Harley's opinions were sufficient to override any evidence I could produce, and his influence strong enough to prevent Lord Kimberley from granting me an interview in Colonel Harley's presence, I abstained from any further call at the Colonial Office, not caring to be met with suspicion and distrust.

It was Captain Fremantle's own fault if he received no information from my Agents as to the course of trade; he appears to have received readily any report, however absurd, against my course of trade. It is known to your Lordship that Mr. Solomon frequently sent information to our Agent at Cape Coast, for the use of Her Majesty's Government, and when Captain Fremantle did seek to learn the nature of our trade at Grand Bassam and Assinee, he had, I know, free access to all our books, and the assistance of our Agents there in explaining everything in connection with those places; and, my Lord, I believe Captain Fremantle was sent there expressly to ascertain if we had sold arms and ammunition to the Ashantees, that he had discovered we had not, but instead of reporting the result of his enquiry, and stating plainly what he knew, he states: "I am glad to be assured that British merchants do not at least trade directly in munitions of war to be used against their own countrymen." Captain Fremantle might have added that "our Agents," at all events, took every precaution to prevent munitions of war from falling into the enemy's hands. He might have enlightened Colonel Harley on the 600 kegs of gunpowder said to have been landed but were not, (which his Excellency preferred to leave in doubt as likely to damage me,) in short, my Lord, he might have exonerated me as far as my trade at Grand Bassam and Assinee was concerned; but in truth I had incurred, through Mr. Lyall, the displeasure of Colonel Harley, and it is to that displeasure that I attribute, rightly or wrongly, the suspicion attached to the proceedings of my Agents on the Coast and to my own character here. Such suspicion would, I admit, justify Captain Fremantle in his arrest of the "Cromwell," and even in his remarks about myself and my Agents; such suspicion, however unfounded, would naturally lead Captain Stephens, and indeed every naval officer, to stop my ships whenever they met them. These proceedings called forth a remonstrance on my part which Captain Fremantle disliked, which, I believe, led to his enquiries at Assinee, and to the report of them of which I complain.

And as to the "Cromwell," Captain Fremantle says: "She asked, I understand, to be allowed to go to Chama in September, a very short time after the treacherous conduct of these people to Commodore Commerell, but was refused; we now know that much of the Ashantee powder came from Chama." I am surprised to learn that any such request was made, but Captain Fremantle knows as well as I do that the

"Cromwell" was simply chartered by my Agent to bring home Palm oil and other produce, and that she never had any munitions of war on board. What object can Captain Fremantle have, then, in inserting the above paragraph in his official report? My Lord, there can be but one object: "Offensive suggestions," is Captain Fremantle's own term; I adopt it as regards the above paragraph, and add that I have no personal difference with him, knowing him only as a distinguished officer in Her Majesty's service; whereas I believe he was taught to regard me as an unscrupulous trader, and I must defend myself even against him. My Agents, rightly or wrongly, believed that Captain Fremantle was for some reason incensed against them, they reported their opinion to me, and I complained to the Admiralty, and not without good cause.

In paragraph 11, Captain Fremantle accuses me of putting a statement into his mouth as to the "Bryn y mor" having landed lead at Assinee. In page 160, of the Blue Book, No. 3, I find a letter from Captain Fremantle, dated October 9th, 1873, which contains the following passage: "As this vessel, 'Bryn y mor,' persists in hanging about the Coast, &c. &c., having actually landed quantities of lead at Assinee." If, then, there is an error, it is the printer's and not mine. I fear there is a like error in the statement as to the landing of 50 bars of lead at Assam. Where, then, are Captain Fremantle's "patent facts?" do the last few lines of paragraph 5 establish a patent fact? For my part, my Lord, I find no facts stated, except such as I have readily admitted. "Notoriety, opinions," the tittle-tattle "of every other trader," such are the authorities quoted; but, as I have already said, I believe Colonel Harley's opinions really prevailed, and formed the real groundwork of Captain Fremantle's course of action.

Again I must ask your Lordship's pardon for using language which is not, perhaps, correctly official. My name has been connected, I may say honourably connected, with West Africa for many years, and I must and will defend it against all who attempt to cast discredit upon it.

I have, &c.
(Signed) A. SWANZY.

No. 70.

Mr. Cleaver to Colonial Office.

My Lord,

122, Cannon Street, E.C., July 28, 1874.

AS I was for many years the principal agent of Mr. Swanzy I am intimately acquainted with the Gold Coast and the circumstances attending the Ashantee War, and as my attention has been called to the published report of Captain Fremantle, R.N., dated 18th January, 1874, I feel it incumbent on me to defend Mr. Swanzy against the calumny that has been invented and disseminated against him, more especially as I believed Captain Fremantle was satisfied in his mind that Mr. Swanzy's firm had not been guilty either directly or indirectly of the accusation of aiding and abetting the Ashantees with warlike stores during the war, and that he would report accordingly.

Your Lordship may be aware that, as an unofficial member of Council and Justice of the Peace, I have been much interested in the Government of the Gold Coast. I was at Cape Coast when the Ashantees invaded the Protectorate, was present at the battle of Dunquah, 14th April, 1872, returned to England invalided latter end of May, and went back early in November of same year to Cape Coast for the purpose of assisting the Government in the expedition conducted by Major-General Sir Garnet Wolseley.

I have seen Mr. Swanzy's letter to your Lordship of 27th instant, and I confirm all that has been stated in that and other letters on same subject from himself as well as his firm.

When the Ashantees invaded the Fantee country I appealed to Colonel Harley the Administrator for supplies of arms and ammunition to be made to the people who had begged me to do so, and, as he did not supply them promptly or adequately, they bought largely from the merchants, and Colonel Harley did so too, the Government stocks being far too small for the occasion. Under these circumstances, I at once indented for large quantities of guns, gunpowder, &c., including Snider rifles, for the use of the Fantees. At the same time I instructed the agent at Assinee to discontinue at once the sale of such articles, fearing they might reach the Ashantees who had

always obtained large supplies from that place; and I not only acquainted Colonel Harley, but endeavoured to induce him to purchase the goods on their arrival. The firm shipped the warlike stores as fast as they could be got ready, but they take some time to prepare, and the shipments by the "Alligator" and "Bryn y Mor" were ordered of the manufacturers before the blockade was established, and it was known that the Government would send the supplies necessary to repel the invaders. Statistics show that the exports of warlike stores as regular articles of trade to the Gold Coast and other parts of the coast of Western Africa have formed for years past an important item, and I have no doubt they amounted to less for the last than for previous ones.

Mr. Swanzy's business extends east and west beyond the Settlements, where a large trade is carried on in warlike stores, not necessarily for warlike purposes, but for customs and other ceremonies of a peaceful nature, and knowing as we did that the agents would not land such stores at places whence the Ashantees could obtain them, we shipped, believing there would be a legitimate market, and we were right, for Captain Sir John H. Glover, R.N., bought the greater portion on behalf of the Government for the defence of the country.

It is well known that Mr. Swanzy's trade has always been more extensive in the Settlements than elsewhere, and that I advocated the expedition as the only way of settling the Ashantee question and of recovering the trade of the interior; also that Mr. Swanzy and his agents were interested in bringing about the conclusion of the war as quickly as possible; moreover, the agents and all other employés of the firm at Assinee were Fantees, also the principal book-keeper at Cape Coast, and a number of others holding positions of trust. It cannot, therefore, be supposed by anyone acquainted with the facts that Mr. Swanzy's firm or their agents would do anything likely to prolong the war; had they attempted anything of the kind their position in the Settlements and elsewhere would have been untenable from the ill-feeling of the Fantees. I beg to call your Lordship's attention to the letter of the agent Mr. Solomon, dated at Assinee 8th September, 1873, and addressed to Commander Stephens, of Her Majesty's ship "Bittern," with a view to stopping the traffic in gunpowder, &c., between the Ashantees and our competitors the French house at that place (*vide* "Further correspondence respecting the Ashantee Invasion," No. 3, p. 97), also to the letter of the agent for Quittah and the Bight of Benin (*vide* "Further Correspondence respecting the Ashantee Invasion," No. 9, p. 6, inclosure No. 6).

Mr. Swanzy and his firm have done all in their power to convince Her Majesty's Government that the charges complained of have no foundation, in fact, they have furnished accounts of their shipments for last two years, showing that the value of warlike stores exported by them formed only a small proportion of their total exports, and they have invited an inspection of their London and West Coast offices in order to clear themselves of the imputations invented and suggested by certain officers.

Immediately after my arrival at Cape Coast early in December last, I entreated Major-General Sir Garnet Wolseley to send a naval officer to Grand Bassam and Assinee for the purpose of ascertaining whether or not Mr. Swanzy's Agents had disposed of warlike stores to the Ashantees or to others in communication with them, and I invited an inspection of the books at those places. It was not convenient to accede to my proposal at the time, but I learned subsequently that Captain Fremantle, R.N., had been to Grand Bassam and Assinee, and that he had expressed himself perfectly satisfied that the suspicion resting against Mr. Swanzy's firm had no foundation; had he been disposed to do so he might justly have cleared the firm by reporting to that effect. This conclusion is borne out in some measure by the last two paragraphs of the Report. So far from absolving Mr. Swanzy, that Report is clearly intended to attach more suspicion to his motives. Had there been any evidence against Mr. Swanzy's firm some proof would have been adduced, as the people of Assinee, according to Captain Fremantle's own showing, were opposed to the Ashantees receiving supplies of warlike stores from their having made a "threatening demonstration" against M. Verdier during Captain Fremantle's stay on shore, and he would easily have procured the evidence he sought had it existed; but I contend it did not, and I challenge him to produce any to substantiate the imputation he leaves standing against the firm. In paragraph 12 of the Report the word "present" is intended to mislead, as the Agents have been at the places alluded to from the beginning of the war.

Captain Fremantle has been good enough to exonerate me from any share in his remarks (whatever they may mean), although I advocated the shipments as already shown, which makes it clear he knew very little about the question; and I must flatly contradict his assertion that Mr. Swanzy's Agents were at any time in "active

opposition to the Government of the Gold Coast," for I know that it was not only their duty, but their desire to render every assistance in their power.

Complaints were justly made of Colonel Harley's unfitness for the position he held, and I blame him for having been the cause of the expedition. Had he acted promptly and with ordinary foresight the Ashantees would never have reached the coast. His evident dislike to Mr. Lyall, Mr. Swanzy's principal Agent from May to December, arose from the latter's dissatisfaction with the Government for not taking measures for the defence of the town of Cape Coast; and I believe Colonel Harley's object in disseminating the report against Mr. Swanzy's firm, was intended to damage his credit at the Colonial Office in the event of his giving evidence against Colonel Harley's administration.

So far from "opposition," my Lord, the Agents have at all times done what was in their power to assist the Government. I have letters from Lord Kimberley and Major-General Sir Garnet Wolseley thanking me for my personal services; I placed one Agent entirely at the service of the Government at the firm's expense, who has lately been appointed the Commandant of Axim in recognition of his services; when the expedition was likely to fail for want of carriers, I employed an influential Agent at considerable expense to the firm to go to various parts of the country to obtain them, and I would name others in the employ who have done good service in the war. I refer your Lordship with confidence to the following gallant officers of both services with reference to the conduct of Mr. Swanzy's Agent, including myself:—Major-General Sir Garnet Wolseley, Captain Sir John Hawley Glover, R.N., Captain Sir J. E. Commerell, R.N., and Captain Sir H. Hewett, R.N.

In paragraph 6 Captain Fremantle writes—"To return to Mr. Swanzy's conduct. We find his Agents in active opposition to the Government of the Gold Coast; and, during the time I speak of, information as to the destination of a ship laden with powder could only be extracted by the machinery of a Court of Justice."

I deny this, as the evidence referred to was taken in Court on oath at the suggestion of Mr. Lyall, who gave it to satisfy the Government, and obtain the release of a ship not "laden," but having a few warlike stores on board. We had no desire to conceal the destination of gunpowder, and did not. Again, in paragraph 8, Captain Fremantle states:—"The 'Cromwell' asked for and actually receives permission to trade at many places in open hostility to us." The fact is the "Cromwell" steamship was chartered after discharging the whole of her outward cargo of coal to the Government for the purpose of receiving produce from the hostile places as it was unsafe. She never had a package of warlike stores on board, and yet Captain Fremantle suggests that she was engaged for the purpose of supplying the enemy, when there is no evidence whatever to support such a supposition. Again he states in paragraph 6, that the powder was landed at Grand Bassam "in spite of the prohibition of the Commandant of the French gunboat," which is not the case; and as these statements are surely intended to damage Mr. Swanzy's reputation, I must take exception to them. The Agent at Grand Bassam had a perfect right to land the small parcel of gunpowder referred to, and Captain Fremantle could have satisfied himself that it did not reach the Ashantees. I think it probable he did, as the Agent wished to clear himself as well as the firm from the imputation.

In conclusion, my Lord, I beg to state that I will gladly go to the Colonial or any other Office to answer inquiries with reference to the question at issue, as I am determined to leave no means untried to relieve Mr. Swanzy of the very unjust suspicion that has, up to the present time, attached to his name in connection with the Ashantee war, knowing as I do that he has always upheld and assisted the Government, both personally and by his Agents.

I have, &c.
(Signed) WM. CLEAVER.

No. 71.

Governor Strahan to the Earl of Carnarvon.—(Received July 29.)

My Lord,

Government House, Cape Coast, June 26, 1874.

I HAVE the honour to report to your Lordship that I arrived here yesterday morning, when, under the Commission forwarded to me in your Lordship's despatch of the 22nd ultimo,* I was sworn in to administer the Government of the Gold Coast.

* No. 10.

2. I consider it unadvisable that Captain Lees, after having administered the Government for some time in virtue of a Commission given to him under special circumstances, should revert to the position of Acting Collector of Customs.

3. Apart from other considerations, it is important that Captain Lees should be able to devote his time, unfettered by the duties of a responsible office, to making me acquainted with the details of the administration.

4. I have therefore left undisturbed the arrangement by which Colonel Foster performs the duties of Acting Collector.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator*.

No. 72.

Governor Strahan to the Earl of Carnarvon.—(Received July 29.)

My Lord, *Government House, Cape Coast, June 26, 1874.*

I HAVE the honour to acknowledge the receipt at Lagos of your Lordship's confidential despatch of the 22nd ultimo,* informing me that the Queen had been pleased to approve of your Lordship's recommendation that I should be appointed to administer the Government of the Gold Coast, with a view to my shortly hereafter assuming the Government of the Colony into which it is proposed that the Settlements of the Gold Coast and Lagos should be united.

I beg to thank your Lordship for this mark of your confidence and for the very gratifying reference which your Lordship is pleased to make to my past services. It will be my endeavour in the important office which I am about to fill to merit your Lordship's confidence.

Your Lordship will learn from my despatch of this day's date,† that I assumed yesterday the administration of this Government.

The information which your Lordship desires with reference to Akropong will be forwarded as soon as I am in a position to visit that district.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator*.

No. 73.

Governor Strahan to the Earl of Carnarvon.—(Received July 29.)

My Lord, *Government House, Cape Coast, June 27, 1874.*

WITH reference to Captain Lees' despatch, paragraph 4, of the 25th of May last,‡ I have the honour to forward to your Lordship copy of a letter from Dr. Gouldsbury, reporting that the King and Chiefs of Aquamoo had agreed to and signed a Treaty of Peace, copy of which is inclosed.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator*.

Inclosure 1 in No. 73.

Your Excellency, *Accra, June 20, 1874.*

I HAVE the honour to report, for your information, that the King and Chiefs of Aquamoo have agreed to the terms of, and have signed the Treaty of Peace, and I herewith forward the document, signed and completed.

I have further to report for your Excellency's information that I visited Eastern Akim, and that I am now about to leave for Western Akim, and that on my return from thence I shall forward a full report of the missions on which I was employed.

I have, &c.
(Signed) V. SKIPTON GOULDSBURY,
Special Commissioner.

His Excellency Captain Lees,
Cape Coast.

Inclosure 2 in No. 73.

Treaty of Peace entered into at Odumase this 15th day of June, 1874, between Valesius Skipton Gouldsbury, on the part of Her Majesty the Queen of England, and the undersigned Representatives of the Aquamoo nation.

THE following Articles, being fully discussed and understood, are agreed to:—

ARTICLE I.

That there shall be peace and friendship henceforth and for ever between the British and Aquamoo nations.

ARTICLE II.

That the River Volta shall be kept open for all lawful traders, and both Parties to this Treaty shall use their best efforts to discourage any dishonest or unlawful interference with legitimate traders of whatever country or nation.

In proof of our truth and sincerity we subscribe our names to this Treaty, a copy of which to be retained by each Party.

(Signed)

VALESIOUS SKIPTON GOULDSBURY.

AKOLO, his ✕ mark, *King of Aquamoo.*

DEBRAH, his ✕ mark, *Chief of Aquamoo.*

OFFEI QUASSIE, his ✕ mark, *Chief.*

NYAMPONG, his ✕ mark, *Chief.*

BEKAI, his ✕ mark, *Chief.*

AWOOAH, his ✕ mark, *Chief.*

NYAKOH, his ✕ mark, *Chief.*

AMOOAH, his ✕ mark, *King's Linguist.*

ADIPAH, his ✕ mark, *Chief.*

Witnesses:

(Signed)

SAKITEY, his ✕ mark, *King of Eastern Croboe.*

JONATHAN PALMER, *Government Interpreter.*

CHRISTIAN T. AZZA.

Witness to King Sakitey's mark:

(Signed)

PETER NYAKOO.

No. 74.

The Officer administering the Government to the Earl of Carnarvon.—(Received July 29.)

My Lord,

Government House, Cape Coast, June 30, 1874.

WITH reference to your Lordship's despatch of the 5th instant,* in reply to Captain Lees' of the 7th May,† I am happy to inform your Lordship that since the date of Captain Lees' despatch nothing has taken place to give rise to any further complaints against the conduct of Fantees or others towards Ashantees visiting Cape Coast.

2. I have not, therefore, considered it necessary to take any further action with a view to preventing a recurrence of the acts complained of, beyond impressing upon the Chiefs of Cape Coast, in an interview which I had with them yesterday, my determination to repress all acts which will in any way affect the establishment of friendly relations with the Ashantees, or the development of trade with the interior.

3. I shall express myself in similar terms to the captains of companies at a meeting which I have summoned for to-morrow.

I have, &c.

(Signed)

GEO. C. STRAHAN, *Administrator.*

Governor Strahan to the Earl of Carnarvon.—(Received July 29.)

My Lord,

Government House, Cape Coast, June 30, 1874.

I HAVE the honour to report to your Lordship that messengers from the King of Ashantee waited upon me on the 27th instant. After presenting the King's compliments, they informed me, on the part of the King, that he had sent to Cape Coast certain presents to the Wesleyan Mission, to Mr. Freeman, the Wesleyan Minister, and to Mr. Dawson, the messenger deputed in the latter end of 1872 to carry on negotiations for the release of the European prisoners at Coomassie.

2. The messengers stated that the King wished me to know that in making these presents it was his hope that Mr. Freeman would establish a mission at Coomassie for the education of the young; that he was most anxious to be on friendly relations with England, and to carry on trade with the people on the coast.

3. I expressed to the messengers, who were accompanied by the Ashantee Ambassadors, my gratification at receiving a message of this nature from the King; and in conveying my compliments to him, I asked them to inform him that I had received the Queen's commands to do all in my power to establish friendly relations with the people of the interior, and to encourage legitimate trade and commerce; that I would punish any one who was found guilty of interfering with or molesting the tribes coming to the coast for purposes of trade, and that I should endeavour to keep the roads to the coast always in good order and safe for the conduct of traders and traffic.

4. The Ashantee Ambassadors and messengers then expressed their thanks and were about to retire, when the four Adansi hostages, and the messenger whom Captain Lees, in his despatch of the 8th instant,* informed your Lordship he had sent for, by Cudjo Sago, were announced; and in presence of the Ashantee Ambassador declared, in answer to my inquiry on the subject, that none of them had been detained at Denkerá against their will, that the King of Adansi and his people desired to remain in their own country and be friends of England, and that they would never again return to the rule of the King of Ashantee.

5. Upon this the Ashantee Ambassadors expressed (although indirectly) the hope that now that there was peace I would interfere to make the King of Adansi return to his former allegiance.

6. At this early stage of my administration I considered it advisable to confine myself to pointing out that the Adansis in first leaving the King of Ashantee had done so of their own free will, and not through any influence brought to bear upon them by the English general, and that they (the Adansis) must in the present instance decide for themselves.

7. The Ashantee messengers, apparently expecting some such reply, said they understood what I had said, and retired. The Adansis then expressed in the strongest terms their determination not to return to Ashantee rule, and endeavoured, by asking for a flag and otherwise, to obtain from me a promise of protection for their country.

8. In reply to the first statement, I repeated that they must decide for themselves, and impressed upon them that I could not commit the British Government to an extension of responsibility beyond the present Protectorate. They then informed me that they would now return to Adansi through Denkerá.

9. I inclose a Memorandum which Captain Lees was good enough to prepare for me, and which will enable your Lordship to recall the circumstances in connection with the Denkerá hostages.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

Inclosure in No. 75.

Memorandum respecting the Adansi Hostages.

THE King of Adansi, formerly subject to Ashantee, sent hostages after the war to the King of Denkerá as a proof of the sincerity of his desire to join with them and repudiate the authority of Ashantee.

* No. 53.

Various rumours reached Cape Coast about these hostages, and of the relations of the Adansis with the Ashantees and Denkeras.

I wrote despatch of 4th May to the Secretary of State on the subject, and that I would ascertain and report state of affairs.

The Ashantee Ambassadors also had stated that these hostages were being detained against their will.

Cudjo Sago was sent to Denkeras and brought back two of the Adansi hostages.

I now wrote to Secretary of State despatch of 8th June, and sent for remainder of hostages in the hands of the King of Denkeras; and King Aubin of Adansi was requested to send a trustworthy person to report the true state of affairs with him.

They have all come down to Cape Coast, and were confronted with the Ashantee Ambassadors on the 27th instant.

(Signed) C. C. LEES.

June 29, 1874.

No. 76.

Governor Strahan to the Earl of Carnarvon.—(Received July 29.)

My Lord,

Government House, Cape Coast, July 3, 1874.

I HAVE the honour to inform your Lordship that messengers from the King of Ashantee have announced to me their arrival with 400 ounces of gold.

2. An interview takes place to-day, which will be reported to your Lordship by next mail.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

No. 77.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, July 30, 1874.

I HAVE received Captain Lees' despatches of the 19th of June and of the 23rd of June,* reporting the negotiations and conclusion of peace with the Ahwoonah nation, involving the recognition of Her Majesty's right to bring their country under the same jurisdiction as that exercised over the Protectorate at the other side of the Volta.

2. I approve Captain Lees's proceedings, and the Treaty which has been concluded.

3. Captain Lees appears to have conducted himself throughout with judgment and ability, and I have expressed to the Lords Commissioners of the Admiralty the high sense I entertain of the assistance rendered by Sir William Hewett in this difficult affair.

4. I regret that the War Chief Aholu was not present, as he appears to be one of the most powerful men in the country. Probably means may be found of opening friendly communication with him, and obtaining his adhesion to the recent general settlement of affairs through the British Officer commanding at Quittah.

5. I shall address you on another occasion upon the important question of the extent to which Her Majesty should be advised to avail herself of her now acknowledged right of asserting her jurisdiction over the Ahwoonah country generally, or over portions of it. This question, which will call for care and consideration, must be taken in connection with the important one, whether some more definite understanding should not be arrived at as to the local limits of British jurisdiction and responsibility on the Gold Coast.

6. I approve meanwhile the establishment of a Post at Quittah, and now that the British ports extend so far eastward, it will probably be desirable immediately to extend to the Volta and beyond it the Customs establishments of the Colony, so as to secure for the Government the revenue which properly belongs to the Protectorate

* No. 61.

and is justly derivable from the Volta trade, which the recent measures should have the effect of reviving.

I have, &c.
(Signed) CARNARVON.

No. 78.

The Earl of Carnarvon to the Officer administering the Government.

Sir, *Downing Street, July 30, 1874.*
I HAVE received your despatch of the 30th of June,* reporting an interview with the Ashantee messengers, at which you had taken the opportunity of confronting with them the representatives of the Adansi people now at Cape Coast.

I am glad to observe that, in your communication with the Adansis, you had guarded against the supposition that Her Majesty intended to extend her relations of alliance and protection to tribes beyond the Prah. I have to refer you on this subject to my despatch of the 17th instant,† and to request that you will make the decision of Her Majesty's Government plainly known. You will, of course, refuse the Adansis a flag, for reasons previously explained.

I shall be glad to learn that Mr. Freeman has found it possible to establish a mission at Coomassie. The presence of Europeans at the Ashantee seat of Government can hardly fail to be of service.

But Mr. Freeman, if he applies to you for advice on the subject, should understand that if he and his mission go to the Ashantee country, they do so on his own responsibility, and that this country cannot be regarded as bound to use other than the ordinary exertions to insure their protection.

I have, &c.
(Signed) CARNARVON.

No. 79.

The Earl of Carnarvon to Governor Strahan.

Sir, *Downing Street, July 31, 1874.*
I HAVE to acknowledge the receipt of your despatch of the 26th of June,‡ reporting your assumption of the Government of the Gold Coast.

I have to convey to you my approval of the arrangement which you have made for securing the assistance and advice of Captain Lees for the present.

You are already aware that, under the new Charter, Captain Lees will be Administrator of Lagos.

I have, &c.
(Signed) CARNARVON.

No. 80.

The Earl of Carnarvon to Governor Strahan.

Sir, *Downing Street, July 31, 1874.*
I HAVE received with much satisfaction your despatch of the 27th of June,§ forwarding the Treaty of Peace which has been concluded by Dr. Gouldsbury with the King and Chiefs of Aquamoo.

I request you to convey to Dr. Gouldsbury an expression of the gratification with which I have learned the successful result of his mission to the Aquamoos, and the sense which I entertain of the valuable services he has rendered to the Gold Coast Government.

I have, &c.
(Signed) CARNARVON.

Sir J. H. Glover, G.C.M.G., to the Earl of Carnarvon.

My Lord,

Salzburg, August 3, 1874.

MR. MEADE having communicated to me that he had been instructed by your Lordship to forward, "for any remarks I may like to furnish," a copy of a report from Dr. Rowe,* on the choice of a place for the future seat of Government on the Gold Coast, I avail myself of the honour done me to offer the following observations on the subject:—

(1.) "The castle eligible as barracks" for the civil armed force, its officers, stores, &c., and Justice Hall.

(2.) The bungalows on Connor's Hill for residences.

(3.) "The present Government House, a comparatively comfortable residence," for the Chief Justice of the Gold Coast.

(4.) Hired houses for officers, and other hired buildings to be discontinued, excepting prison and hospital, until permanent arrangements be made for hospital on Connor's Hill, and for prison in castle.

(5.) A poor market, in keeping with the place and the inhabitants of the neighbourhood.

(6.) "The habits of the native tribes," or their traditions, might with advantage be broken with, and the seat of Government removed to Elmina, which would be an additional seal to Treaty of Fommanah. Any money to be expended in the erection of new buildings to be applied to Elmina (on the site of that part of the town destroyed westward of Castle St. George) and not at Cape Coast Castle. The present Government buildings at Cape Coast Castle should be sufficient for the altered circumstances of the case contemplated; indeed, Cape Coast Castle should henceforth be relegated to a suburb of, and not the seat of Government. The telegraph, steam-launches, and a good road will render this easy of accomplishment.

3. "The harbour at Elmina," and the ready communication from that place with the roadstead, as stated by Dr. Rowe, supersede all other considerations in determining it as the future head-quarters and residence of the Governor, were there not others almost equally in its favour. The building area of Elmina is not like that of Cape Coast Castle, confined within very limited space by steep hills, and the town of Elmina is, therefore, more capable of improvement and of the expansion necessary for the accommodation of an increasing population, which should be anticipated. Again, not having the high hills at its rear, as is the case at Cape Coast Castle, it will be cooler. The base hills at Cape Coast Castle retain and reflect the heat, the wind does not blow so thoroughly home at the foot of a hill or mountain, but is deflected off and upwards, and its force is felt greater half-way up, and still more so at its summit. Hence the towns of Cape Coast Castle and Sierra Leone are badly placed. Elmina has two castles, that of St. George d'Elmina and St. Jago, with the forts of Schomberg and Java. The Castle of St. George, or lower castle, should be appropriated exclusively for the residence of the Governor, the officers of his staff, and such armed force as may be required for the security of the castle. The "unpleasantness to other occupants," as stated by Dr. Rowe, would thus be avoided, only what I should consider of equal, if not greater, importance would be that the occupancy of the castle by others than those I have mentioned might be productive of unpleasantness to the Governor. The castle or fort of St. Jago might be adapted as a prison for the security of criminals. I will offer no opinion as to Dr. Rowe's proposal to improve the harbour beyond suggesting that it be dredged, and that old iron guns be piled out on the point, so as to afford somewhat more shelter to the entrance. There can be no doubt that the Sweet River should be brought both to Cape Coast Castle and Elmina for the purpose of a water supply, and I believe that no engineering difficulty opposes itself to the accomplishment of this most necessary object. Elmina, with its castles, town, and harbour, mark is unmistakeably as the place best suited for the residence of the Governor, the head-quarters of the Government, and the future commercial entrepôt for this part of the Gold Coast Colony.

4. The consideration of the question as to the Akropong Mountains, or hills, being advantageous, suitable, and necessary for a sanitary residence, may be simplified by referring your Lordship to the well known results obtained by the Basle missionaries in solving the problem as to Europeans living or dying on the Gold Coast, when fair chances of living, instead of pretty certain chances of dying, are offered to them, and

by pointing out that what Simla is to Calcutta, Akropong must become to Elmina, Cape Coast Castle, and Lagos. The only other question connected with the consideration (of what I must consider) an accepted conclusion, is that of money.

5. Accra, except for a landing-place for Akropong, need not be brought under consideration. It will assume an importance when the gold resources of the district are developed, which sooner or later will take place. The chief trade at Accra is in produce from the Volta district, and from the eastward, crossing the river at Battok, and eventually must leave Accra for its legitimate outlet, the mouth of the Volta.

6. The future Simla of the Gold Coast might, and should be fixed equi-distant from the Volta and Accra, so that the Governor might take steam at either point of embarkation. Good roads, telegraph, and steam remove the apparent objections put forward by Dr. Rowe, and the Volta district is fairly supplied with flesh, fish, fowl, game, and vegetables.

7. There is no reason why steamers should not be kept in efficient condition off the coast, visiting as they would from time to time the Volta and Lagos. The good or ill humour of the crew need not have too much importance attached to it.

8. I will conclude these observations by expressing an opinion that Elmina and the Akropong Hills are the sites, and the only sites, suitable for what I will call the summer and winter residences of the Governor and European officials of the Gold Coast, who, the more they are kept moving, the better will it be for their health, the condition in which the roads will be kept, and the general good government and well-being of the Colony.

9. The system of the Government, the appointment and distribution of Commandants, referred to by Dr. Rowe, is a separate question. I have confined myself to the point under consideration, viz., the future residence of the Governor of the Gold Coast.

I have, &c.
(Signed) JOHN H. GLOVER.

No. 82.

Governor Strahan to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Government House, Cape Coast, July 7, 1874.

REFERRING to my despatch of 3rd of July,* reporting the arrival on the morning of that day of messengers from the King of Ashantee with 400 oz. of gold as a further instalment of the indemnity to be paid by the King, I have further to report to your Lordship that the messengers, accompanied by the Ashantee Ambassadors, waited upon me on the afternoon of the same day, and, after the usual compliments had passed, informed me that the King desired to thank the Queen for the interest she had shown in his son.

2. They said that it was the King's wish that his son, who is 16 years of age, should remain in England for such time as the Queen considered necessary for his education; that if his stay was to be long he would be glad if the Queen would send him back on a visit after some time; but that he left the matter entirely to the Queen.

3. They then retired, and shortly afterwards returned with the gold, of which 336 oz. are in ornaments and the remainder in gold dust. A long palaver followed, and, without troubling your Lordship with all the irrelevant matter brought into it, I may state that the object they evidently had in view was to represent the King of Quabin, who now desires to throw off his allegiance to Ashantee, in an unfavourable light to English eyes, as having been the first, as they said, to swear by his sword that he would fight the white man after Amanquatia had returned to Coomassie.

4. A further interview was arranged for the following day, which, however, has not yet taken place in consequence of the illness of Euchin, the chief Ambassador.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator.*

No. 83.

Colonial Office to Mr. Swanzy.

Sir,

Downing Street, August 5, 1874.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 27th ultimo,* criticising the Report of Captain Fremantle, R.N., C.B., C.M.G.

A copy of your letter has been communicated to the Lords Commissioners of the Admiralty, together with a letter from Mr. W. Cleaver dated from your premises on the 28th ultimo.†

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 84.

Colonial Office to Admiralty.

Sir,

Downing Street, August 5, 1874.

WITH reference to your letter of the 11th of April last,‡ I am directed by the Earl of Carnarvon to transmit to you a copy of a letter from Mr. A. Swanzy,§ commenting on the Report of Captain Fremantle, R.N., of the 18th of January last, respecting the conduct of the firm of F. and A. Swanzy during the late war.

I am also to transmit a copy of a letter from Mr. W. Cleaver, agent of the firm on the Coast.||

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 85.

Governor Strahan to the Earl of Carnarvon.—(Received August 12.)

My Lord,

Government House, Cape Coast, July 13, 1874.

REFERRING to my despatch of the 7th instant,¶ reporting that an interview between the Ashantee Ambassadors and myself which had been arranged to take place on the 5th instant, had been postponed on account of the illness of Euchin, the chief Ambassador, I have now to report to your Lordship that while at Elmina, where I had gone for a few days to become acquainted by personal inspection with certain points connected with defence, I was waited upon on the evening of the 9th instant by messengers from the King of Ashantee, who stated that they had reached Cape Coast in six days from Coomassie, to report that the King of Juabin had sent a message to Coomassie that on a certain day he intended "to fire" (commence war).

2. The King of Ashantee, they said, wished me to know this as soon as possible, inasmuch as the Queen of England desired peace, and he himself desired peace, and "he begged me very much" to send a messenger to arrange matters between himself and the King of Juabin.

3. I informed the messengers that I would return to Cape Coast next day, and hear the matter before all the Ashantee Ambassadors.

4. A long palaver accordingly took place on the 11th instant, which I will endeavour, as briefly as possible, to report to your Lordship.

5. The Ashantee messengers said that the King was about to return to Coomassie; that the King of Juabin was his son (meaning that he owed allegiance to Ashantee); that he wished to see him and his people, and the people of the other tribes of the Ashantee kingdom, when he re-entered the capital; that the King of Juabin had refused to go to Coomassie, and two days afterwards had sent a message that on a certain day, which the messengers gave as Monday, the 20th instant, he would fight; that the King therefore begged me to send some one,—“a proper person,”—to arrange matters with the King of Juabin, as “he” (the King of Ashantee) “does not wish the place to be in bad order, but wishes peace, and is much concerned about this matter.”

* No. 69.

† No. 70.

‡ *Vide* No. 8 of Command Paper [C. 1006], June 1874.

§ No. 69.

¶ No. 70

¶ No. 82.

6. The Juabin portion of the Embassy, who, I may here mention, informed me, in a short interview before my leaving for Elmina, that they had reason to believe that messengers from the King of Juabin had been stopped by Ashantees on their way here, and begged me "not to be against the King" until I heard further, began by recounting at great length what took place at an interview which they had with Captain Lees some time before my arrival.

7. The principal point, however, which they desired to bring to my notice was, that on that occasion one of the messengers, in the course of discussion, had stated that the people of Krakie (a tribe five days' journey into the interior from Juabin) had thrown off their allegiance to Ashantee, upon which they (the Juabins) rose up and said to Euchin, "If the people of Krakie have done so, the people of Juabin have done so; speak to the Governor that we may go back to Juabin; or, in other words, "we can now no longer form part of the original embassy composed of the tribes of Ashantee who came down with the Treaty." The Juabin Ambassador went on to say, "We then talked with Euchin, and arranged to send a messenger, one to Coomassie and the other to Juabin, to inquire into the matter, and return. The Coomassie messengers have returned, where are the Juabin messengers?" implying that they had been stopped by the Ashantees from returning to Cape Coast, lest they should report some assertion of power over Juabin on the part of the King of Ashantee which had led to the hostile attitude of the King of Juabin, as just reported by the Ashantee messengers.

8. The Juabins, who stated openly their determination not to return to Ashantee rule, concluded by requesting me to send a good messenger to Juabin to inquire into matters, "as they did not wish war."

9. Euchin, after repeating much of what had previously been said, solicited, in the most earnest way, my interference to settle matters between Ashantee and Juabin by sending messengers to the respective Kings; but it was evident that Euchin intended that my interference should be of such a nature as to induce the people of Juabin to return to their allegiance.

10. The Juabin Ambassador reiterated the request that I would send a messenger to Juabin to inquire into matters, and added, what he had told me before in the interview to which I have referred as having taken place before I left for Elmina, that he had reason to believe that Juabin messengers had been stopped on their way to Cape Coast by Ashantees at Quisah. This statement gave rise to a counter-charge, that the people of Juabin had robbed some Ashantee messengers going to Juabin, among whom was a stool-bearer of the King.

11. After a hot discussion between the Coomassie and Juabin Ambassadors on these charges, Euchin said that the question before the Governor was not what had led to the hostile message of the King of Juabin, but whether, now that a fight was imminent, he would send messengers to Coomassie and Juabin to settle matters; and they all rose and "begged" me.

12. In reply to Euchin, I spoke to the following effect: "You have requested my interference to settle matters between Coomassie and Juabin by sending messengers to the Kings, but you intend that my interference shall be such as to induce the Juabins to return to Ashantee rule. I have already informed you that although steps have been taken, and taken successfully, to send back Ashantees who were being detained in the Protectorate against their will, the Queen will not interfere to induce, much less compel, any one to return to Ashantee rule. If this, then, is the object you have in view by asking my interference, what use is there in my sending a messenger?"

13. Euchin replied, that if I did not interfere everything was lost for them, and that by doing nothing I was acquiescing in their destruction.

14. I then asked, "Is it not your object in asking my interference to have a pressure put upon the people of Juabin, to make them again come under Ashantee rule? Would the King of Juabin be allowed to remain unmolested as a friendly but independent neighbour of Ashantee?" To which Euchin replied, "That is a question for the King." But when I pointed out that the King had sent me a message, through him, to inform me that he and the other Ambassadors had the King's confidence, that what they said the King said, and that they knew everything in his mind, Euchin changed ground, and said, "If two people are your friends, and they quarrel, is it not good to try to make peace between them?" I replied, "As a rule, yes; but before trying one must always consider whether there is any reasonable hope of succeeding,—and in this case I could not make peace, because you, my friend, was asking me to make my other friend do that which he has told you he is

determined not to do, and which I have told you I cannot interfere to make him do." On this Euchin gave up the question of the allegiance of Juabin, which was probably introduced on the principle of "getting all one can," and said that what the King of Ashantee wanted was to have a collision prevented; if once a shot was fired all would be confusion, and if I would only send messengers to Coomassie and Juabin to say that I did not wish them to fight, and make peace between them, they (the Ashantees) did not care if the Juabins did not come back to Ashantee rule, and would be content to regard them as an independent tribe.

15. As I was now placed in the position of a mediator, I said that if they could find means to communicate to the Kings of Ashantee and Juabin my desire that there should be peace, and my readiness to mediate between them through messengers whom they should delegate for the purpose, I should be glad to send such a message.

16. This arrangement, however, was not received as being at all satisfactory by either Ashantees or Juabins, both of whom urged that my message, to be of any avail at the present crisis, when all intercourse was at an end between Ashantee and Juabin, must be sent by my own messenger; and were most pressing in their entreaties that I would not refuse their request. The question, in my opinion, was assuming at this stage a very important aspect, and as the "palaver" had lasted nearly seven hours, I proposed to adjourn until next day.

17. I then considered the question in all its bearings, along with Captain Lees, who was present throughout the interview. We are of opinion (1) that some movement of the Ashantees—probably some assertion of power over Juabin—has led to the hostile attitude of the King of Juabin, who being determined to throw off Ashantee rule, and probably in league with other tribes to enable him and them to do so successfully, is preparing to resist any attempt of the King of Ashantee to bring him again under his yoke; (2) that the King of Ashantee, seeing his power weakened by the defection of the Adansis, Juabins, and probably Beequahs, and other tribes of the kingdom, and fearing the entire destruction of his power, is desirous to maintain peace with his neighbours; (3) that the Juabins, although prepared to fight to secure independence, would, if unmolested by Ashantee, and acknowledged as independent, be content to remain passive.

18. Whether this is a correct view of the position of these tribes or not, there can be no doubt that a fight at this time, which among these tribes means warfare for years, would be most unfortunate as regards the interests of this Settlement, and our position on the Coast generally.

19. The mere fact of the Ashantees being again at war would be noised throughout the interior, while a momentary success on their side would lead to a renewal of the prestige they have lost, and revive among the Western tribes of the Protectorate a spirit of disaffection which has now been successfully overcome.

20. There is no doubt also that a collision between the Ashantees and Juabins at the present moment would lead to a general outbreak, into which some of the tribes of the Protectorate would inevitably be drawn, the Juabins being in alliance on the east of the Protectorate with the Akims who now hold Juabin hostages, while the Adansis are in alliance with the Denkeras on the west of the Protectorate.

21. After much consideration, I came to the conclusion that I was not justified in allowing hostilities to break out if any influence I could exert would prevent it, and that this influence could only be successfully exercised through a reliable messenger. A native would receive little or no consideration, and would probably be distrusted; and while considering this difficulty, Captain Lees volunteered to go to Coomassie and to Juabin, and endeavour to arrange matters between them.

22. Feeling not only that inaction on my part would be misinterpreted both by Ashantees and Juabins, but that an influence which might prevent hostilities in the interior at the present time could not, having regard to the interests of the Settlement, properly be withheld, I accepted Captain Lees' offer of his services.

23. I accordingly met the Ambassadors yesterday afternoon, and after again impressing upon them that it was impossible for Her Majesty's Government to take any steps whatever to induce the tribes who formed part of the Ashantee Kingdom to return to their allegiance, I said that, after considering all that had passed at the interview of the day before, I would consent in the interests of both sides to mediate between them, and that I had arranged that Captain Lees should proceed on the 14th instant to Coomassie and to Juabin to endeavour to prevent a collision, and if possible secure peace for the future, but that in taking this course I must distinctly point out that this was an exceptional case, in which I was acting as a mediator to preserve

peace between two tribes in a critical state of affairs, when a collision was said to be imminent, and that in future I could only undertake to communicate with the tribes through messengers sent by themselves.

24. Both Ashantees and Juabins expressed their thanks very warmly.

25. Quick messengers started at once for Coomassie and Juabin to report Captain Lees' intended departure.

26. Captain Lees will leave this to-morrow morning, accompanied by Ashantee and Juabin messengers, the latter going as far as Quisah, where they will strike off to Juabin.

27. The principal members of the Embassy remain here until Captain Lees return.

28. I need scarcely add that I should not have given my consent to Captain Lees proceeding on a mission of this nature, attended with considerable discomfort and risk to health, had I not felt that by utilizing the prestige and influence which England has lately acquired among the tribes of the interior I should be able to prevent a collision, which would be followed by a period of desultory warfare, during which trade would be paralyzed and progress and civilization in the interior rendered impossible.

29. The road to the Prah is reported to-day as being in good order and dry, and if the weather continues as fine as it has been lately, I am hopeful that Captain Lees may return within the first week of August.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator*.

No. 86.

Governor Strahan to the Earl of Carnarvon.—(Received August 12.)

My Lord,

Government House, Cape Coast, July 14, 1874.

REFERRING to the despatches named in the margin,* I have the honour to forward to your Lordship a report which I have just received from Dr. Gouldsbury, of his missions to Eastern and Western Akim.

2. With reference to the assistance rendered to Dr. Gouldsbury by King Sakety of Eastern Croboe, an opportunity will be afforded me of conveying my thanks to King Sakety in forwarding to him the testimonial which I learn by your Lordship's despatch, of the 5th of June last, it is the intention of Her Majesty's Government to send to him.

3. The conduct, referred to by Dr. Gouldsbury, of some of the Houssas disbanded from the Glover expedition was reported to me by the Commandant of Accra, and by my directions (the ringleaders having been captured) has formed the subject of judicial inquiry. A report of the proceedings has not yet reached me.

4. It will be my duty to communicate with the Ashantee Ambassadors, with a view to the restoration of the Akims, who are stated as being in the hands of the Ashantees.

5. The question of the improvement of the roads into the interior, which forms the subject of the last paragraph of Dr. Gouldsbury's report, has been engaging my earnest attention.

6. I will only add that Dr. Gouldsbury has executed this mission with the same tact and success which appear to have characterized his proceedings in the Western District before my arrival in the Settlement.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator*.

Inclosure in No. 86.

Your Excellency,

Elmina, July 12, 1874.

I HAVE the honour to report that, in compliance with the instructions which I received on 23rd May from Captain Lees, Acting Administrator, I started from Cape Coast on the same day, and proceeded to Eastern Akim, viâ Accra and Akropong.

After a six days' journey from Accra I reached Kybie, viz., on 30th of May, and on my arrival sent for King Attah, and arranged with him that I should have an interview with himself and his Chiefs on the following day.

* Nos. 39 and 73.

On 31st May I met King Attah and his Chiefs as was arranged, and found that, in addition to the Akims, there were about sixty Juabins and a dozen Quahoos present, besides several "Ashantee Akims," these latter being the descendants of Akims who had been taken captive by the Ashantees in former years.

To my question as to the number of Ashantees, or subjects of the King of Ashantee, who were detained in Akim, King Attah replied that there were only nine that he was certain of, but that he had given three Ashantee captives to some of his captains, who lived on the northern confines of his kingdom, and he did not know whether these Ashantees were still in the hands of his captains, or had been sold out of his territory. He promised, however, to ascertain and inform the Government of the result of his inquiry.

King Attah produced the nine Ashantees already alluded to, and of these eight stated that they wished to return to Ashantee, and one that she had married an Akim man, and preferred to remain at Kybie.

Among the eight Ashantees who desired to return to their own country, there was a woman who was so near her confinement that she was unable to travel, and she requested to be allowed to remain at Kybie until her child was born. I therefore left her there in the care of a native missionary. The remaining seven Ashantees I despatched under escort to the Ashantee frontier, with directions that they should be handed over to the first Ashantee Chief met with; and at the same time I forwarded a letter to the King informing him of the number of his people which I sent him from Akim. On interrogating the Juabins and Quahoos as to whether any restraint was exercised, or inducement brought to bear upon them by King Attah to keep them in Akim, they replied in the negative, and stated that they had been sent by their respective Kings to Akim to try and induce King Attah to use his influence with the English Government, with a view of obtaining the admission of Juabin and Quahoo into the Protectorate.

Both the Juabins and Quahoos affirmed that it was the unalterable determination of their tribes to secede from their allegiance to the King of Ashantee, or, as they expressed it, to throw off for ever the cruel Ashantee yoke under which they had so long and so grievously laboured. The linguist of the King of Juabin and a Juabin Princess were present, and both asserted that rather than go back to the miseries of an Ashantee supremacy, the whole tribe would dash themselves as slaves to the Kings in the Protectorate. On questioning the Ashantee Akims who were present, I was assured by them that they were in Akim of their own free will, that they were only too glad to escape from Ashantee, which they did during the expedition, and that they would never return to that country.

Besides those who were present, there were, according to King Attah's account, about 150 more Ashantee Akims in different parts of his territory, but he asserted that no restraint was imposed upon them, and the truth of this statement was vouched for by the Ashantee Akims who were before me.

In accordance with my instructions, I warned King Attah against inciting dissensions or defection among the subjects of the King of Ashantee, and directed him, on the contrary, to cultivate, as far as possible, friendly relations with the Ashantee Kingdom.

To the request of the delegates from Juabin and Quahoo, that their tribes should be admitted as forming a part of the Protectorate, I replied that I could not hold out any promise as to their prayer being granted, but that I would convey their entreaty to our Government. As I was informed at Kybie that the road from Eastern to Western Akim, always bad, was now almost impassable from the rains, and that it would be better to start for Western Akim from Accra, I deemed it advisable to return to Akropong, and proceed from thence to Croboe to carry out my mission with reference to the Aquamoos. After two days' detention at Akropong, through illness, I left for Odumase, which place I reached on the night of the 7th June.

Next day I had an interview with Sakety, King of Eastern Croboe, whose influence with the Aquamoos Captain Lees directed me, if possible, to obtain, and for which end I had already forwarded a letter to King Sakety. He expressed his willingness to aid me in any way he could in furthering the mission I had in hand, and, I am glad to say, he did not confine his willingness to words, but gave practical effect to his promises. I sent, through Sakety, several messages to Akotoh, King of Aquamoo, and received replies to the effect that he and his Chiefs would come to Odumase to have a palaver. It was not, however, until the 15th of June, that is, the eighth day after my arrival, that he made his appearance at Odumase. He was

accompanied by his Chiefs and about 300 armed men; and it was evident from the precautions which he had taken that he feared that some treachery was intended on our part. Indeed, he had been warned by his head fetish Priest against coming to the interview, and had already once turned back to Aquamoo after having set out for Odumase.

On the evening of the 15th of June, and after due discussion, King Akotoh and his Chiefs agreed to the terms, and signed the Treaty of Peace prepared by Sir Garnet Wolseley, which Treaty I have already forwarded to your Excellency. I also left a copy of the Treaty with the Aquamoos.

King Akotoh begged that the Crepees and the other tribes in the Protectorate should be informed that the Aquamoos were now our friends, and especially that the Crepees should be restrained from firing and committing depredations on his people.

As there were so many armed men belonging to Saketey and Akoto in Odumase, I was requested by both Kings to remain until the 17th June, to prevent any quarrel arising between their people, which request I thought it advisable to accede to.

On the morning of the 17th ultimo, the Aquamoos left Odumase for their own country, but, before starting, King Akotoh and his Chiefs entreated that Aquamoo should be admitted into the Protectorate, which petition I promised to convey to our Government. On the departure of the Aquamoos, I set out for Accra, which town I reached on the 18th ultimo. Here, from the difficulty of obtaining fresh carriers, except at exorbitant rates, and my old ones being knocked up, I was delayed until the 20th ultimo; and then, just as I was starting for Western Akim, the necessity arose for the immediate capture of a gang of disbanded Houssas who belonged to the "Glover Expedition," and I, therefore, proceeded with Mr. Paul, the Civil Commandant of Accra, to the villages of these marauders to aid him in making the necessary arrests. I merely mention these circumstances to account for the fact that it was not until the 24th of June that I was able to depart for Western Akim. I reached Jusoem, the capital of Western Akim, after a six days' journey, viz., on the 29th ultimo. On the 30th I had an interview with King Quabina Fooah, and he emphatically denied that there were any Ashantee hostages in his territory, or that constraint was imposed by him upon any subjects of the King of Ashantee. He acknowledged that there were about 200 Ashantee Akims in his Kingdom, but asserted that they were there of their own free will. I saw about forty of these Ashantee Akims and interrogated them with reference to their presence in Akim. They replied that they escaped from Ashantee during the expedition, and had returned to their families in Akim, and that, moreover, they would never return to Ashantee, their recent escape being the realization of a hope which had been handed down to them from their fathers, and which had grown with their growth, and strengthened with their strength.

I conveyed the purport of my instructions to King Quabina Fooah, as to his abstaining from holding out any inducements to the subjects or tributaries of the King of Ashantee to forsake their allegiance to that potentate; and I gave him the same directions as I did to the King of Eastern Akim as regards initiating and maintaining friendly relations with the Ashantees, in accordance with Her Majesty's pleasure.

On taking leave of King Quabina Fooah and his Chiefs on the morning of the 1st instant, I reiterated the cautions and advice which I had already given them, and immediately afterwards I left for Cape Coast, where I arrived on the 7th instant.

Both Kings of Akim begged that our Government would obtain the release of some of their people who are detained as captives by the King of Ashantee, and I append to this report a list of the persons whose liberation is thus entreated for.

I beg to bring to your Excellency's notice the service rendered by King Sakety of Eastern Croboe, and to state that he was at considerable expense in entertaining the King and Chiefs of Aquamoo during their stay at Odumase.

I need hardly say that, although not immediately connected with my missions, I lost no opportunity of advising the several Kings, Chiefs, and people through whose countries I passed to turn their attention from war and disputes, which only impoverished them, to the peaceful avocations of trade, the improvement of their roads, and the general development of the vast resources of their country.

Before I bring this, I fear already too lengthy report, to a close, I think it will not be out of place to state that the roads, or rather tracks, in the interior of the Protectorate, and notably in Akim, are in a very bad condition, and that even in the

dry season these paths are so tortuous and so impeded by fallen timber, roots of trees, and brushwood, that places which should only be three or four days' journey from the coast, take four or five days' travel to reach. This waste of labour and time, though small in any individual case, is enormous in the aggregate, and when spread over a large number of years.

I have, &c.
(Signed) V. SKIPTON GOULDSBURY,
Acting Civil Commandant, Elmina.

His Excellency Captain Strahan, R.A.,
Administrator, Gold Coast.

LIST of Akims now in the hands of the Ashantees, and whose deliverance therefrom, through the influence of the English Government, is petitioned for by Kings Attah and Quabina Fooah of Akim.

Names of those belonging to King Attah—the children and grandchildren of Yaboah Accouah, viz. :—

Accouah Otani or Obenwah, Boakye, Osewah, Boahkyewah and her two children.

Names of those belonging to King Quabina Fooah :—

Cudjoe Berakoo (a Fetish man); Osnah and Efricah, both of these are women, and are in the hands of an Ashantee called Apaja Opokoo.

No. 87.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 14, 1874.

WITH reference to my despatch of the 16th July,* I transmit to you herewith, for your information and guidance, a copy of a letter from Sir John Glover, submitting his views as to the choice of the future seat of Government for the Gold Coast Colony.†

I have, &c.
(Signed) CARNARVON.

No. 88.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 16, 1874.

I HAVE received your despatch of the 13th July‡ on the subject of the state of affairs between the Ashantees and the Juabins.

I quite approve of this exercise of your influence for the preservation of peace between the Kings of Ashantee and Juabin, and I do not doubt that the despatch of a Special Representative of so much weight and authority as Captain Lees was a prudent measure. These difficulties (for such they are) must be probably anticipated for some time to come; but the first step towards producing that intelligent appreciation of the material benefit of order and trade amongst these tribes, which is our present object and aim, is the securing a state of peace. The more completely and the longer that this state is maintained, the greater, probably, will be the difficulty of departing from it. I have every confidence that Captain Lees will exercise an influence on these tribes beyond the mere temporary mediation which he will, I hope, effect.

I need hardly add, after what I have said, that I concur in the opinion expressed by you as to the great importance of preserving the peace of the country from inter-tribal warfare; and I think that the influence of the Government, exercised, of course, with prudence and a careful consideration of all the circumstances of the case, may be properly used to this end.

I have, &c.
(Signed) CARNARVON.

Governor Strahan to the Earl of Carnarvon.—(Received August 17.)

My Lord,

Government House, Cape Coast, July 23, 1874.

IN reply to your Lordship's despatch of the 19th ultimo,* requesting to be furnished with a report as to the correctness of a statement which appeared in the "Manchester Guardian," and which your Lordship quotes, I beg to inform your Lordship that I have discovered, as the result of my enquiries on the subject, that soon after the departure of Sir Garnet Wolseley in the beginning of March, slaves, chiefly children, were brought down here by Ashantees and sold in the town of Cape Coast and in the neighbouring villages.

2. Some two or three months afterwards Captain Lees, when Acting Administrator, heard a report that Ashantee traders were bringing children across the Prah with the intention of selling them at Cape Coast, and, although unable to obtain any confirmation of the report, Captain Lees considered it advisable to request Enchin, the chief Ambassador, to caution Ashantee traders against selling Ashantee slaves within the Protectorate.

3. Since that time no further reports reached Captain Lees, but I now discover that slaves have all along, at least up till quite lately, been sold clandestinely in Cape Coast and its neighbourhood.

4. I need scarcely assure your Lordship that I shall use every means in my power to put a stop to this traffic, if I find that it now exists, and to prevent its being continued for the future. That such traffic "is allowed and protected by the British Government," it is needless to say is incorrect, and "that the police are employed in catching any poor creature that runs away" is equally incorrect, if it is meant that they are so employed with the cognizance of the Government.

5. The difficulty of obtaining reliable information on a subject of this nature has prevented me from replying at an earlier date to your Lordship's despatch.

6. I have considered it advisable at once to see the police force personally on the subject of this report, and to caution them against taking any part, however remote, in the recovery of run-away slaves.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

No. 90.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 19, 1874.

I HAVE received your despatch of the 14th ultimo,† and I have read the interesting and satisfactory report which Dr. Gouldsbury has transmitted of his Mission to Eastern and Western Akim.

2. With respect to his statement of the desire of the Juabins and the Quahoos to enter into the Protectorate, you will bear in mind, in conformity with what I have already stated in former despatches (especially of the 17th ultimo‡), that Her Majesty's Government are not prepared to agree to any extension of the present limits of the Protectorate, although they will be very glad to enter into friendly relations with any tribes beyond those limits who may so desire.

3. On this point I may add that care and consideration are of course necessary in arranging or defining what those relations should be.

4. I shall address you on another occasion with regard to the Aquamoos, who are in a somewhat different position from the Juabins and Quahoos.

5. I observe that the other subjects treated of by Dr. Gouldsbury are engaging your attention.

6. I have to request you to thank Dr. Gouldsbury for the good service which he has rendered on this occasion.

I have, &c.

(Signed) CARNARVON.

No. 91.

Admiralty to Colonial Office.

Sir,

Admiralty, August 22, 1874.

I HAVE received and laid before my Lords Commissioners of the Admiralty your letter of the 5th instant,* forwarding two letters, dated 27th and 28th ultimo, from Mr. Swanzy and his Agent, relative to the charge made against his firm of exporting arms and ammunition to the Gold Coast.

I am, &c.

(Signed) VERNON LUSHINGTON.

No. 92.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, August 28, 1874.

IN my despatch of the 3rd instant I had the honour to transmit to you a Charter passed under the Great Seal on the 24th July,† erecting the Settlements of the Gold Coast and Lagos into one Colony under the style of the "Gold Coast Colony"; and in that despatch I also transmitted to you Her Majesty's Commission appointing you to be Governor of the new Colony, together with Her Majesty's Instructions under the Sign-Manual and Signet.

2. In other despatches, from time to time, I have explained to you my general views of the policy to be observed on the Gold Coast on various matters, and it is my present purpose to address a few observations to you on some of the steps to be taken, under the powers conferred by the Charter and Instructions, in order to bring the new institutions into practical operation.

3. You will now find yourself at the head of a Colony consisting of two divisions, which, though they have been brought into connection for reasons of proximity, community of interests within certain limits, and general facility of administration, yet differ considerably also in some of their political and social characteristics, and have been governed hitherto under dissimilar laws administered by independent Courts.

4. In both divisions of the Colony the law of England has been the basis of the system of justice administered by the Courts, but the local enactments passed by the Legislatures of the two Settlements have naturally been diverse.

5. Those laws of course until altered remain in force, but you will make it an object of policy, whilst retaining the principles of the law of England as the general rule under which justice is to be administered, to provide for the supercession of the present heterogeneous and defective legislation of the two extinct Legislatures by laws which shall be, as far as possible, uniform, simple, and complete. And it will further be an object of policy to amalgamate the judicial systems of the two Settlements in subordination to a single Supreme Court, with provisions for administering justice as far as possible at convenient places in each district.

6. It may probably also be found desirable to confer on this Court the jurisdiction of the Judicial Assessor's Court at the Gold Coast, so as to avoid the confusion which may arise from a multiplication of jurisdictions.

7. The instructions accompanying your Commission designate as Members of your Executive Council eleven, besides yourself, the Administrator of Lagos, the Senior Military Officer, the Colonial Secretary, and the Queen's Advocate. In view of the frequent absence from various causes of public officers on the Gold Coast, the probable removal of the regular troops, and the necessity of having two members present besides yourself to form a quorum, I should be glad to receive any suggestion you may desire to offer as to the addition by Royal warrant at a future time of some other public officer to the Executive Council.

8. The instructions do not give you power in the first instance to add to the number of persons designated therein as Members of the Legislative Council; but I have not lost sight of the fact that, as the Sessions of Council will be held sometimes at one Settlement and sometimes at the other, and as its work will relate to the affairs of communities differing in many of their characteristics, it may be necessary to nominate to the Legislature a larger number of persons than would otherwise be

* No. 84.

† *Vide* Appendix, No. 1.

desirable, so as to secure the attendance of a due number of persons having special knowledge of the subjects of legislation; and I shall be prepared to receive your suggestions as to the nomination of, say one or two, additional Members beyond those designated in the Commission. But you will in no case lead any person to understand that he has any prospect of being appointed to the Legislative Council until the sanction of the Secretary of State has been given.

9. You will of course for the present regard the revenues of the two Settlements as distinct funds to be separately estimated and accounted for, and you will not allow the funds of the one to be applied to the disbursement of the other, except on the understanding that the sum disbursed is to be regarded as an advance.

10. The Customs systems of the two must also at present be regarded as distinct until amalgamated under the direction of a Controller or Treasurer presiding over the financial affairs of the United Settlement. Even then the Consolidated Department will be obliged to administer two systems of taxation, the assimilation of the Tariff of the two Settlements being at this moment unfortunately impossible.

11. I presume that you will see no objection to the amalgamation of the defensive forces of the two Settlements, the bulk of the force as heretofore remaining at the Gold Coast and Lagos being charged annually a sum in proportion to the average strength of the force there quartered.

12. I need hardly point out to you the advantages of at once consolidating as far as possible this and other services of the United Colony.

13. At first it will, in my judgment, be the most prudent course to charge to Gold Coast funds (which have this year been subsidized by a grant from the Imperial Exchequer) the whole of the salaries of those high officers—such as yourself, the Colonial Secretary, the Queen's Advocate, and the Inspector-General of Police—who, though nominally on the establishment of the Gold Coast, render service in relation to the affairs of both Settlements; but, in future, Lagos should bear its fair share of the charge for the salaries of these officers, and if later it should appear that its finances are in a prosperous condition, I think it would not be unfair that the Settlement should repay a sum representing either wholly or in part the arrears of its share of the amount now exclusively borne by the Gold Coast.

14. I have now indicated to you the line of action which I think desirable in regard of some the principal matters which will immediately arise for consideration on the publication of the Charter.

15. If you desire to make representations on any point to which I have referred, or upon any other cognate subject, I shall be glad to receive them.

I am, &c.

(Signed) CARNARVON.

No. 93.

Governor Strahan to the Earl of Carnarvon.—(Received September 1.)

(Extract.)

My Lord,

Government House, Cape Coast, August 7, 1874.

I HAVE only now received by the steamer due here on the 1st instant, which has just arrived, your Lordship's despatch of the 10th ultimo, and will forward by the mail now due the following telegram, to be transmitted from Madeira:—

“Health of European officers of the garrisons on Gold Coast, for the last five weeks, good. All at present doing duty.

“Captain Lees at Juabin on the 1st instant. All well.”

I am happy to inform your Lordship that at the present moment all the officers belonging to the garrisons of both Cape Coast and Elmina, viz., five officers of the 1st West India Regiment, four medical officers, and the officer in charge of the Control Department are well, and doing duty, and for the last five weeks have enjoyed almost an entire immunity from sickness.

The European officers of the Civil Government, viz., the Administrator, the Acting Collector of Customs, the Acting Chief Magistrate, the Acting Colonial Surgeon, the Inspector-General of Armed Police, and the Commandants at Accra and Dixcove, have been equally fortunate, with the exception of the Commandant at Accra, who is now on ten days' sick leave at Akropong.

There has been no mortality among the officers of the garrison since the death, on the 12th June last, of Sub-Lieutenant Huntingford, 1st West India Regiment.

Although the numerous questions which daily occupy my time and attention prevent me from reporting all my proceedings to your Lordship, I may here mention, in connection with the subject of public health, that I lately assembled the Chiefs of Cape Coast, and captains of companies, to require their co-operation in improving the sanitary condition of Cape Coast. I worked upon their fears—a powerful element—by representing that it was the opinion of the medical officers that in the present state of the town continued heavy rains would probably cause a severe epidemic of small-pox among the inhabitants, to say nothing of the danger to life which might, and last year did, take place by the falling in of old mud houses, and requested them to elect two of their number as their representatives, viz., one Chief and one captain of companies, to be associated with the Senior Medical Officer of the garrison, the Acting Colonial Surgeon, and Mr. Lyall, a merchant, who now form a Board, presided over by myself, for carrying out such sanitary reforms as require no great engineering skill, such as the demolition of deserted mud houses, the material of which is used for filling up the depositaries of stagnant water and for repairing roads; the establishment of latrines on the dry earth system, for the carrying out of which the soil supplies excellent material, and the clearing away of bush, &c.

I am happy to state that the manner in which the members of the Board have commenced their work augurs well for success.

No. 94.

Governor Strahan to the Earl of Carnarvon.—(Received September 9.)

My Lord,

Government House, Cape Coast, August 13, 1874.

I HAVE the honour to inform your Lordship that I returned to Cape Coast yesterday evening, after spending a few days at Elmina, which I visited chiefly for the purpose of selecting a site for the new town.

2. Since the bombardment of the houses in what was called the disaffected portion of Elmina, their former occupants have been living in temporary buildings in the neighbourhood, while many who went into villages in the interior after the bombardment have not yet returned. It was, therefore, advisable to decide upon a site where these people might build their houses.

3. I accordingly selected a site to leeward of the present town, the boundaries of which were pointed out to the chiefs in my presence, and appeared to give them satisfaction.

4. As I am of opinion that, in a sanitary point of view, no portion of the native towns on the coast should be to windward of the residences of Europeans, I decided that I would not allow the site of the bombarded town to be again built upon by the natives.

5. A portion of the debris of the bombarded town will be reserved for the embankment of the river, while the remainder will be removed by the people and used in the construction of the new town. In this way there will be to windward of the Castle a large open space which was formerly the depository of filth and fetid matter.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

No. 95.

Governor Strahan to the Earl of Carnarvon.—(Received September 9.)

My Lord,

Government House, Cape Coast, August 14, 1874.

I HAVE the honour to forward to your Lordship copy of a letter which I have received from Mr. Lyall, Agent for Messrs. F. and A. Swanzy, requesting to be informed whether he will be permitted to land a quantity of gunpowder, for sale, from a vessel now lying in the roadstead.

2. Your Lordship is aware that under a Proclamation issued on the 8th of February, 1873, at an early stage of the war, the importation of arms and ammunition into the Settlement and protected territories had been prohibited excepting at Cape Coast, Elmina, and Accra, under certain restrictions, but as Mr. Chalmers, whom I consulted on the subject of Mr. Lyall's letter, is of opinion that, the Proclamation having been issued in a state of war, and being by its preamble expressly applicable to

such a state, questions might at least be raised as to its continued application, and as I consider it is now desirable that the supply of munitions of war should cease altogether, I have this day issued a new Proclamation prohibiting the importation of arms, ammunition, and warlike stores everywhere throughout the Settlement and protected territories.

3. A copy of the Proclamation will be forwarded to Mr. Lyall in reply to his letter.

4. It is true, as your Lordship points out in your despatch of the 15th of May, that in taking this step, the trade in munitions of war may be diverted to Assinee, and to other ports outside the Protectorate, but if the co-operation of the French Government could be secured to prevent such importations being made from Assinee to Grand Bassam, a distance of 28 miles along the coast, and negotiations carried out, which, in a revenue point of view must in my opinion be done sooner or later, to obtain the control of importations to certain places to leeward of Quittah, the supply of munitions of war to the interior tribes will be, if not entirely checked, at least rendered difficult.

5. In the meantime I feel that I am only performing an imperative duty in issuing the Proclamation which I now forward.

6. I may add that the Legislative Council, which had to be consulted before issuing the Proclamation, entirely concur in my views on this question.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

Inclosure 1 in No. 95.

Sir,

Cape Coast, August 13, 1874.

GUNPOWDER being now in great demand at this place, I shall be obliged by your informing me as soon as possible whether I shall be permitted to land a quantity of that article, for sale from my vessel, the "Kentish Lass," now lying in the roads.

I have, &c.

(Signed) G. T. H. LYALL,

Agent for F. and A. Swanzy, of London and West Africa.

The Honourable G. Foster Foster,

Acting Collector of Customs, Cape Coast.

Inclosure 2 in No. 95.

Proclamation.

By his Excellency George Cumine Strahan, Captain Royal Artillery, Administrator of Her Majesty's Forts and Settlements on the Gold Coast.

(L.S.) GEORGE CUMINE STRAHAN, *Captain R.A., Administrator.*

WHEREAS it is expedient to prohibit the importation into the Settlement and protected territories on the Gold Coast of arms and munitions of war:

Now therefore be it known to all whom it may concern that, by virtue of the powers in us vested, we have prohibited and do hereby prohibit all persons whomsoever from importing into the said Settlement and Protected Territories, as also from selling, bartering, giving, or transferring in any manner of way on the waters rivers, and estuaries thereof all arms, ammunition, or warlike stores of every and whatsoever description, excepting only such arms, ammunition, or warlike stores as may be specially authorized to be imported for the use of Her Majesty's forces or of the Colonial Government.

And all Officers of Customs and other officers of the Government of the Gold Coast are to observe and enforce this Proclamation.

Given under my hand and public Seal at Government House, Cape Coast, this fourteenth day of August, in the year of our Lord one thousand eight hundred and seventy-four, and of Her Majesty's reign the thirty-eighth.

By Command,

(Signed) FOSTER FOSTER,

Acting Colonial Secretary.

God save the Queen!

Governor Strahan to the Earl of Carnarvon.—(Received September 9.)

My Lord,

Government House, Cape Coast, August 15, 1874.

WITH reference to your Lordship's despatch of the 19th of June,* in which your Lordship requests me to procure and forward to your Lordship an estimate of the number of medals likely to be required for distribution among all the regularly trained Houssas, Yorubas, and armed police who served against the enemy under the Colonial Government or under Sir John Glover, together with the number required for distribution to the men of the late native levies known as Wood's Regiment, Russell's Regiment, and Rait's Artillery, I regret to inform your Lordship that I have been unable to obtain such information as could lead to the distribution which your Lordship contemplates.

2. Having addressed the officer commanding the garrison on that part of your Lordship's despatch which refers to Wood's Regiment, Russell's Regiment, and Rait's Artillery, I received the accompanying letter, in which it is stated that all records in connection with the recent expedition were taken to England.

3. But even were the names forthcoming of the men who composed these regiments and of other natives who served in the expedition, it must be borne in mind that, with the exception of the Houssas, a large number of whom are either at present in the force or easily got at at Lagos and in the neighbourhood of Cape Coast and Accra, the others who took part in the expedition are scattered over the interior and along a coast line extending from Sierra Leone to Opobo.

4. I would therefore venture to suggest that the grant of the medal be confined to such of the Houssas who served on the Gold Coast from the 9th June, 1873, to the 4th February, 1874, as are now in the armed police force of the Settlements of Gold Coast and Lagos, or who may hereafter join the force, of whom all particulars of the part they took in the expedition, and of their after conduct, can easily be procured, and to such of the Fantee armed police as may be considered deserving.

5. I estimate that about 600 medals will be required should my suggestion be adopted.

6. This number does not include the grant of the medal which I learn from the inclosure to your Lordship's despatch, dated War Office, 16th June, has, on your Lordship's recommendation, already received Her Majesty's sanction.

7. With reference to the grant of the medal to such of the native Chiefs as served in the expedition, I would respectfully beg your Lordship to cause reference to be made to my despatch, Confidential, of the 28th of July last.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

Inclosure in No. 96.

Sir,

Cape Coast Castle, August 7, 1874.

WITH reference to letter of his Excellency the Administrator of the Gold Coast dated 5th August last, addressed to you on the subject of obtaining certain information relative to the composition and strength of the levies known as Wood's Regiment, Russell's Regiment, and Rait's Artillery, I beg to state, for your information, that no records of any description were left behind in the Brigade Office, Cape Coast, after the termination of the war, which in any way related to the above levies.

All records in connection with the recent campaign have been taken to England.

I have, &c.

(Signed) ALFRED MOLONEY, *Lieutenant,*
1st West India Regiment, and Fort Adjutant to July 20 last.

Captain Smith,

1st West India Regiment,

Commanding Garrison, Gold Coast.

No. 97.

Governor Strahan to the Earl of Carnarvon.—(Received September 9.)

My Lord,

Government House, Cape Coast, August 17, 1874.

AS your Lordship in your despatch of the 10th July, has expressed considerable anxiety as to the health of the European officers in this Settlement, it will be pleasing to your Lordship to hear that the same immunity from sickness now exists as that reported in my telegraphic despatch of the 7th instant.

2. On the subject of public health I may inform your Lordship that soon after my arrival I made arrangements for the supply of condensed water, by one of the condensing engines sent out during the expedition, to the public institutions, the European officers, and residents at the Cape Coast, and to such others of the native population who expressed a desire to obtain it at a cost of from 25*l.* to 30*l.* per month, and that the Senior Medical Officer of the Garrison and the Colonial Surgeon have reported that no case of dysentery—the former scourge of the Gold Coast—has come under their treatment since that time.

3. In an English point of view the amount so expended for the supply of water to a limited number of inhabitants may possibly be considered large, but with the results reported by these officers I cannot help feeling that the expenditure is justified.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

No. 98.

Governor Strahan to the Earl of Carnarvon.—(Received September 14.)

My Lord,

Government House, Cape Coast, August 21, 1874.

REFERRING to my despatch of 14th August last,* I have the honour to forward to your Lordship copy of a Proclamation which I yesterday issued, prohibiting, except under certain restrictions, the importation of lead bars into the Settlement.

2. The preamble sufficiently explains my reason for issuing this Proclamation.

3. In connection with the general prohibition against the importation of munitions of war, reported in my despatch above quoted, I forward to your Lordship copy of a Memorial which was presented to me on the 19th instant, by a deputation from certain members of the mercantile community of Cape Coast.

4. Your Lordship will observe that the Memorialists complain that the prohibition came upon them before they were prepared for it; but I pointed out that if they admitted the evils arising from importing munitions of war for the use of tribes in the interior, who might use them either against us or against one another; a justification, if any were required, for the Proclamation being issued without notice, was to be found in the statement made in the Memorial, that a quantity of warlike stores was now lying in the roadstead or being conveyed to the Settlement.

5. I informed the deputation that I was determined by every means in my power to render these importations into the interior as difficult as possible, being convinced that upon the success of my efforts in this direction much of the prosperity of the Settlement must depend; and that while endeavouring, through Captain Lees' mission to Ashantee, to prevent desultory warfare, and thus to develop a large legitimate trade with the interior, I did not feel it encouraging that those chiefly interested in the development of such a trade should be so short-sighted as not to see in this matter their real interests.

6. I further pointed out that one of the persons whose names appear in the Memorial, after describing to me, only six weeks ago, the many miseries which had resulted from the former disturbed and unsettled state of the Settlement, expressed the earnest hope that I would be able to bring about, along with a state of security, the prosperity of the people, and that the same person had at this moment lying in the roadstead the very elements to thwart my efforts and to cause disorder.

7. The deputation, I trust, seeing the force of my remarks, expressed their readiness, if such would be agreeable to me, to withdraw their Memorial; but as I suggested that it would first be advisable to communicate to the other Memorialists what had passed, they retired, thanking me for the interview which I had accorded.

8. I received next day the accompanying letter, to which I have sent a reply.

9. I should not have troubled your Lordship with an account of this interview were it not that I consider it right that your Lordship should be in possession of information of all which takes place locally upon a question of this nature.

I have, &c.

(Signed)

GEO. C. STRAHAN, *Administrator.*

Inclosure 1 in No. 98.

Proclamation.

By his Excellency George Cumine Strahan, Captain Royal Artillery, Administrator of Her Majesty's Forts and Settlements on the Gold Coast.

(L.S.)

GEORGE CUMINE STRAHAN, *Captain R.A., Administrator.*

WHEREAS doubts may have arisen or may arise whether or how far lead bars are or should be considered or dealt with as ammunition or munitions of war, and it is proper that such doubts should be removed :

Now, therefore, all persons are hereby notified that lead bars are and shall be deemed and taken to be ammunition and munitions of war, and that the importation thereof into the Settlement and Protected Territories on the Gold Coast has been and is prohibited, excepting only such limited quantities as may be allowed to be imported for industrial purposes, under special permit for the importation thereof first obtained from the Collector of Customs at Cape Coast.

And all Officers of Customs and other Officers of the Government of the Gold Coast are to observe and enforce this Proclamation.

Given under my hand and Public Seal, at Government House, Cape Coast, this twentieth day of August, in the year of our Lord one thousand eight hundred and seventy-four, and of Her Majesty's reign the thirty-eighth.

By Command,

(Signed)

FOSTER FOSTER,

Acting Colonial Secretary

God save the Queen !

Inclosure 2 in No. 98.

Sir,

Cape Coast, August 19, 1874.

WE the undersigned, merchants of Cape Coast, would respectfully ask your Excellency's kind attention to the following subject, which we consider bears upon the whole commercial community with more or less severity, we allude to the Proclamation of the 14th instant, which prohibits the importation of arms and munitions of war into the Settlement and Protected Territories on the Gold Coast.

Some of us have at this moment gunpowder and other munitions of war on board ship in these roads ; by this Proclamation, we cannot land them, barter, sell, give, or transfer them in any manner of way on the waters. As the ship must leave shortly, and the goods only being on freight to this port, we would respectfully ask your Excellency what we are to do with these goods. Others of us have goods of the prohibited class already landed, and some on which duty has been already paid, and no doubt large quantities of these goods are already on their way to this port, or will be shipped before we can advise our principals and friends of the new regulation.

Under these peculiar circumstances we come to your Excellency, asking you to grant us some means whereby we may be relieved of our present difficulty and most disastrous loss.

We would respectfully suggest to your Excellency that the present Proclamation be considered as a notice only of what will be law, say in three months from date thereof ; as by that time we can make such arrangements for the disposal of our stocks and any consignments that may be on their way out, that there will be no difficulty in stopping the trade entirely in munitions of war after the 14th day of November next. Allow us, for the time being, to land such goods as come under the prohibition in bond, so that we can reship and send away to other ports where we may find sale for them.

The want of sufficient notice in this matter is the only cause of our complaining. Had we known that such a law would come into force on a given date, we would have been prepared to meet it; as it is, we are thrown completely upon the mercy of your Excellency, and must, therefore, crave your indulgence.

We would, in conclusion, here state that we shall be only too glad to sell to the Colonial Government all such goods as we may be possessed of that come under the title of prohibited.

Awaiting anxiously your Excellency's reply, which we pray may be favourable, we have, &c.

(Signed)

JNO. VOCE MOORE.

JAS. F. AMISSAH,

Agent Lintott, Spink, and Co., London and West Africa.

G. T. H. LYALL,

Agent Messrs. F. and A. Swanzy.

F. C. GRANT.

H. HALLINGTON.

A. R. CAMPBELL.

JOHN SARBAH.

R. A. HARRISON.

J. B. GRAHAM (for Mary Barnes).

J. M. INSAIDOO.

His Excellency Captain G. C. Strahan, R.A.,
Administrator, Cape Coast.

Inclosure 3 in No. 98.

Sir,

Cape Coast, August 20, 1874.

WE hereby beg to acknowledge the receipt of your verbal reply to our letter of the 19th instant, and though we cannot but regret exceedingly that you are unable to grant us any portion of our request contained in that letter, we nevertheless beg to tender our sincere thanks to your Excellency for the kind and courteous manner in which you met us and listened to our complaints.

We have still a favour to ask of your Excellency, and this we are led to hope you will be able to grant us; it is that we may be permitted to reship all munitions of war that we have now in our own or the Government bonded stores, and which have been landed at various times since so far back as 1872, and which of course were landed with the consent of the Government. As we see no probability of the present prohibition of the import and sale of arms, &c., being taken off at any early date, to compel us to keep these goods in the Colony to become damaged and valueless, to say nothing of the loss of capital lying idle, would, we contend, be an act of injustice and we, therefore, pray your Excellency to allow us to ship them away out of the Protectorate.

We remain, &c.

(Signed)

G. T. H. LYALL,

Agent Messrs. F. and A. Swanzy.

JAS. F. AMISSAH,

Agent Lintott, Spink and Co.

JNO. VOCE MOORE,

Agent Geo. Kendall.

M. BARNES.

H. HALLINGTON.

A. R. CAMPBELL.

His Excellency Captain G. C. Strahan, R.A.,
Administrator, Cape Coast.

Inclosure 4 in No. 98.

Gentlemen,

Colonial Secretary's Office, Cape Coast, August 21, 1874.

I AM desired by the Administrator to acknowledge the receipt of your letter of yesterday's date, and to inform you, in reply, that no difficulties will be placed in the way of your reshipping such munitions of war as are now either in your own stores or the Government bonded stores.

With reference to the latter, I would point out that, if it is intended that the gunpowder now stored in the Government magazine be exported, you have already claimed the full value thereof from the Government, as having been rendered useless, and that if this gunpowder is withdrawn for purposes of trade it would also follow that you also withdraw these claims for compensation. But, if you elect to allow it to remain, you will distinctly understand that your claims are not thereby placed in any different or better situation than before making this application for permission to reship munitions of war.

I have, &c.
(Signed) FOSTER FOSTER,
Acting Colonial Secretary.

G. H. J. Lyall, Esq., and others.

No. 99.

Governor Strahan to the Earl of Carnarvon.—(Received September 14.)

My Lord, *Government House, Cape Coast, August 21, 1874.*

YOUR Lordship, in your despatch of the 30th of July,* in reply to mine of the 30th of June, having expressed your satisfaction that Mr. Freeman had found it possible to establish a Mission at Coomassie, I desire to point out that your Lordship has been wrongly informed if it has been reported to you that such a Mission has been established, and that, if your Lordship infers from my despatch that such is the case, I had no intention of conveying this impression.

2. Mr. Freeman has not established a Mission at Coomassie, nor have I had any communication with him on the subject.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator.*

No. 100.

Colonial Office to War Office.

Sir, *Downing Street, September 15, 1874.*

WITH reference to your letter of the 16th June,† I am directed by the Earl of Carnarvon to transmit to you the inclosed copies of correspondence between his Lordship and the Governor of the Gold Coast, respecting the distribution of the war medal amongst the local levies engaged in the late war.

As the corps known as Wood's Regiment, Russell's Regiment, and Rait's Artillery were raised and disciplined under the Mutiny Act and Articles of War, Lord Carnarvon does not wish to come to any decision on the subject of the distribution of the medal amongst them without consulting Mr. Secretary Hardy. But he thinks that, in view of the difficulties adverted to by Mr. Strahan, the best course would probably be to abstain at present from seeking out any members of this force, but, if good claims are hereafter substantiated on the part of such persons, to allow them.

I am to add that Her Majesty has been advised to confer marks of the Royal approbation on Kings Peppel and Ja Ja, whose contingents are believed to have formed part of the corps in question.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 101.

The Earl of Carnarvon to Governor Strahan.

Sir, *Downing Street, September 20, 1874.*

I HAVE received your despatch of the 21st of August,‡ forwarding copies of a Supplementary Proclamation which you had issued, declaring lead bars to be within the prohibition against the importation of arms.

* No. 78.

† No. 33.

‡ No. 98.

You also report the circumstances of an interview between yourself and certain merchants, respecting the question of the trade in munitions of war.

I have to convey to you my high approval of your proceedings; and I beg to express my appreciation of the spirit in which you have dealt with this and other questions coming before you.

I have, &c.
(Signed) CARNARVON.

No. 102.

The Earl of Carnarvon to Governor Strahan.

Sir, *Downing Street, September 22, 1874.*

I HAVE received your despatch of the 13th ultimo,* reporting your visit to Elmina.

I approve your measures in regard to a new native town. I hope that steps will be taken to ensure the new town being laid out with regularity and with sufficient open spaces.

It would be well if the natives could, on this occasion, be induced to fix on a public burial-ground to leeward of their habitations, and, finally, to abandon the practice of burying at their own homes, which, I presume, exists at Elmina as well as formerly at Cape Coast Castle.

The plan adopted by you will, as I understand, involve the maintenance of a certain interval of open ground between the two towns. This is a measure recommended by military and sanitary considerations, and I hope that the interval will not be suffered to be encroached on.

I have, &c.
(Signed) CARNARVON.

No. 103.

Governor Strahan to the Earl of Carnarvon.—(Received September 25.)

My Lord, *Government House, Cape Coast, August 31, 1874.*

REFERRING to my despatch of 13th ultimo,† reporting the circumstances under which Captain Lees was about to proceed to Coomassie and Juabin, I have the honour to report his return here on the 25th instant.

2. Captain Lees has been suffering slightly from the effects of the journey, but, I am happy to state, is overcoming them rapidly.

3. The report of his mission will be forwarded by next mail.

4. I may in the meantime inform your Lordship that the object of his mission, viz., to prevent an outbreak of hostilities between the people of Coomassie and Juabin which was then imminent, was attained. The respective Kings have sworn to live at peace with each other.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator.*

No. 104.

The Earl of Carnarvon to Governor Strahan.

Sir, *Downing Street, September 30, 1874.*

I HAVE received with much satisfaction the intelligence contained in your despatch of the 31st of August last, of the success of Captain Lees' mission to Coomassie, which success is no doubt due to the skill and judgment displayed by that officer.

I await with interest the receipt of the detailed Report which will enable me to form a more precise estimate of the value of Captain Lees' services on the present occasion.

I have, &c.
(Signed) CARNARVON.

The Earl of Carnarvon to the Officer administering the Government.

Sir,

Downing Street, October 9, 1874.

I HAVE had under my consideration your despatch of the 14th August, forwarding a copy of your Proclamation prohibiting the importation into the Gold Coast of arms and munitions of war.

I approve of your having issued this Proclamation, and of your proceedings generally in the matter, as reported in your despatch.

I have, &c.

(Signed) CARNARVON.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord,

Government House, Cape Coast, September 3, 1874.

REFERRING to my despatch of the 31st ultimo, reporting the return of Captain Lees to Cape Coast from his mission to Coomassie and Juabin, I have the honour to forward to your Lordship a Report of his proceedings.

2. Your Lordship will have learnt from my despatch of the 13th of July that soon after the close of the late expedition, the people of Krakie, who were soon afterwards followed by the Juabins, had determined to throw off their allegiance to King Koffee Calcalli, a determination which was openly expressed by the Juabin portion of the Embassy before the Coomassie Ambassadors at the interview which formed the subject of the despatch above referred to, that there were rumours that others of the tribes were following the lead given to them by Juabin; that King Koffee Calcalli endeavoured, through his Ambassadors, to obtain my interference to bring back the tribes who had already left him, and to prevent a further defection of his people; that failing in this, the Coomassie Ambassadors confined themselves to a request, (in which the Juabin Ambassadors joined them), that I would send some one to Coomassie and Juabin to prevent war, and that for the reasons, and under the circumstances stated to your Lordship, I arranged that Captain Lees should proceed to Coomassie on the 14th of July last.

3. Your Lordship will now observe from Captain Lees' report that at the time of his arrival at Coomassie the state of affairs in Ashantee was such as to leave no doubt in his mind that an outbreak of hostilities was imminent, that King Koffee Calcalli, after many unsuccessful attempts to induce Captain Lees to exert an influence to bring back the defected tribes to their allegiance, accepted the suggestion that such concessions should be made by Coomassie with regard to Juabin as to render an amicable arrangement possible; that, as a result, the independence of Juabin has been agreed to by King Coffee Calcalli, and that both Kings swore to maintain peace, to keep open roads, to give up prisoners then in their hands, and to allow old disputes to die out.

4. The object of Captain Lees' mission, viz., to avert a war, having thus been attained, he left Coomassie on the 17th of August, arriving at Cape Coast on the 25th.

5. The Coomassie Ambassadors have waited upon me on several occasions since Captain Lees' return.

6. In the first interview they expressed their thanks for the peaceful arrangement of affairs as brought about by Captain Lees.

7. At the second they started with a statement, which I have since ascertained to be a falsehood, that the people of a certain village had stopped the road through their district to people of Coomassie, and on my expressing the difficulty I had in reconciling their statement with the fact of the arrival of a large number of Coomassie traders the day before, they requested I would send some one to Coomassie (they suggested a policeman) who should be instructed to report to me from time to time how things were going on.

8. I replied, much in the same terms as those used by Captain Lees before the King at Coomassie, that I could not mix myself up in the disputes of tribes outside British jurisdiction; that in the interests of peace I had agreed, at the request of both Coomassie and Juabin, to mediate between them to prevent a war, which was said to be imminent, and at a time when communication between them had ceased; that both

Kings had now sworn to maintain peace, and that here ended the part which I consented to take.

9. As to sending a policeman, they were not slow to see that a man in this position would neither have my confidence nor theirs, and that influences might be brought to bear upon him to induce him to act beyond his instructions.

10. I endeavoured further, in reply to their persistent requests to regain for the King his lost authority, to impress upon them that they must at once abandon any hope of my interference with a view to bringing back the disaffected tribes to their allegiance.

11. At a third interview held yesterday, which was resumed to-day, they brought me a message, purporting to be from the King (for I place little reliance on anything the Ambassadors say), that he begged me to ask the Queen to send some one in authority to live at Coomassie, and "arrange matters for him."

12. On being questioned as to what was meant by the last expression, they stated, with a coolness which was half amusing, half irritating, and as if the subject was being brought forward for the first time, and was to be treated *de novo* irrespective of anything that had passed before, that the King wished some one "to bring his people back, as everybody was leaving him, and he must starve."

13. The Ambassadors, misinterpreting (I believe purposely) the reference to a mission or embassy which they were informed by the Acting Administrator it was in contemplation to send to Coomassie with presents to the King, said that the Queen had promised to send some one to live at Coomassie, and that the King "begged me very much" to ask the Queen to send one as soon as possible, and until there should be time to have the Queen's answer to send some one from here.

14. I explained fully, at least I took considerable trouble through the interpreter to convey to their minds, what were the views of Her Majesty's Government on this point, which I impressed upon them were based upon the sincerity of the King's intentions to conduct himself straightforwardly and in compliance with the terms of the Treaty.

15. I will not trouble your Lordship with an account of all that followed my oft-repeated statement of my position as regards the tribes beyond our jurisdiction, and of my inability to comply with the King's request.

16. Suffice it to say that innumerable were the tricks and falsehoods to which they had recourse in their endeavours to alter my decision.

17. They then begged that I would inform the Queen of everything that had passed during Captain Lees' mission to Coomassie, and of the desire of the King to have some one in authority sent to Coomassie to live there. I informed them that it was my intention to inform Her Majesty's Government of all that had passed at Coomassie, and of all they had said; but at the same time that they must not expect any alteration to take place in the position which Her Majesty's Government was to maintain towards the tribes outside our jurisdiction.

18. Messengers from the King of Juabin accompanied by a large number of traders arrived yesterday, and waited upon me to convey the King's thanks for the part I had taken to prevent, as they expressed it, "the country being in confusion."

19. It is impossible to foresee, with any degree of certainty, what will be the fate of King Coffee Calcalli; but from all I can learn of his character, which appears to be treacherous, bloodthirsty, and tyrannical, the loss of his power is certainly not to be regretted. Indeed, when the Ambassadors urged the wholesale desertion of his people as a ground for my interference, I pointed out that the rule of the King must indeed have been a hateful one, when the tribes one after another were casting off his yoke on the first opportunity which they had of doing so with success.

20. The Juabins, who, of all the Ashantee tribes, appear to be the most given to trade, will probably now become the most powerful; but, however this may be, I believe that, adhering to the broad principle of non-interference, the wisest policy in the altered state of affairs in Ashantee since the date when the Treaty was signed will be to watch the course of events and take advantage of our prestige to turn them to the best account in the interests of peace and civilization.

21. Your Lordship will be pleased to learn that large numbers of traders are arriving daily at Cape Coast from all parts of Ashantee, and that so good are the prospects of trade that large orders have been sent to England to meet the expected increase in transactions with the interior.

22. Juabins have for some time past been coming also to Accra through Akin for purposes of trade.

23. I will only add that my thanks are due to Captain Lees for the ready manner

in which he undertook a Mission which, in my opinion, will not only have prevented a desultory warfare in the interior, which means a stoppage of trade and a check to civilization, but will be productive of the best results as regards our relations generally with the people of the interior.

24. Captain Lees, who has quite recovered from his slight indisposition, proceeds by next outward mail to assume the administration of the Government of Lagos.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator*.

Inclosure in No. 106.

Sir,

Cape Coast, August 31, 1874.

PASSING over the circumstances under which I proceeded on the 14th ultimo to Coomassie and Juabin and the object of my mission to their respective Kings, which are fully reported in your Excellency's despatch to the Secretary of State of 13th July last which you were good enough to hand to me for perusal, I beg to report as follows:—

At Coomassie, which I reached on the 23rd ultimo, a great state reception had been prepared for me, when the King, the King's mother, Prince Mensah the heir, who I may remark is not the nephew, as was generally supposed, but the brother of the King, the head Fetish priest, and a large assemblage of Chiefs, headmen, and female attendants of the King's mother, marched past before me, it being evident that nothing was left undone to do me honour.

On the evening of the same day Coffee Calcalli paid me a visit I learnt from what passed at this interview, and from what I gathered on my way to Coomassie, that all communication with Juabin had ceased, that messengers sent there by King Coffee Calcalli had been made prisoners, and that the tribes of Sootak, Kokofoo and Becquai had sided with Juabin and had seized several Coomassie men, while the Coomassie people on their side had made prisoners of people belonging to tribes in league with Juabin; in fact, there were all the elements for an immediate outbreak between Coomassie and Juabin.

The King appeared to me to feel that the state of affairs was critical, and to appreciate fully the gravity of the situation, but while admitting that there was a desire to dethrone him and that the tributary tribes had deserted him he said that the Chiefs of Coomassie had sworn to fight to maintain him on the throne.

He begged of me that the King of Juabin might either come to Coomassie himself, or send a representative, that the headmen of the villages which had thrown off their allegiance might be sent for, and that I would then exert myself to bring them again under his authority.

He seemed disappointed that I could not comply with his requests.

At an interview on the following day, at which were present the King, Princes, Chiefs and headmen of influential families, the same requests were urged upon me, when, as on the previous day, I impressed upon the King that before the Governor would consent to send me it was distinctly stated to the Ashantee Ambassadors at Cape Coast that I could not bring any pressure to bear upon these tribes which had thrown off their allegiance, to again return to it, that it was only upon the assurance of the Ambassadors that I should not be asked to do more than endeavour to prevent a war that I had been sent to Coomassie, that I could not allow myself to become involved in the palavers of tribes over whom the Government possessed no authority, nor desired to possess any, and that I could only endeavour to find out the causes which had led to the present state of affairs, and exert my influence to bring about such mutual concessions as would lead to an amicable settlement and prevent, in the interests of commerce and civilization, an outbreak of hostilities.

Notwithstanding my repeated assurances as to the extent to which I was authorized to act, the King continued so persistent in requesting me to bring back the tribes, towns, and villages, that I threatened to discontinue further negotiations and to return to Cape Coast.

As he seemed by no means to desire this, I suggested that as he was powerless to coerce the people of Juabin, he had better secure peace and his own safety by recognizing their independence.

After several interviews with the King, the King's mother, and the influential Chiefs, the King accepted my suggestion, when it was arranged that I should start for Juabin on the 28th to endeavour to arrange matters between Coomassie and Juabin.

On the 27th nearly 400 carriers passed before me with presents of provisions, a large proportion of which I distributed among the principal people of the town; similar presents were sent to me by the King's mother on the morning of the 28th before leaving for Juabin, which were similarly disposed of.

On the 29th I arrived at Juabin, where the reception I met with was not less cordial than that given to me at Coomassie.

The animosity of the King and people of Juabin, against King Coffee I found to be intense.

The people of each tribe were seizing each other whenever they could, and I felt that unless a pacific arrangement could be arrived at a collision must inevitably take place.

After interviews held on the 31st ultimo and 1st instant it was agreed—

1. That Juabin should be independent of Coomassie.
2. That it should live in peace with Coomassie, and not incite other people to molest Coomassie.
3. To open all roads through its dominions to all lawful traders of any nation whatever.
4. All prisoners to be handed to me, those who wish to return to Coomassie to do so, the others to go where they pleased.
5. All disputes, grievances, &c., to die and not to be revived.

The King swore to those conditions on the 7th in the presence of Coomassie messengers, whom I had sent for on the 2nd instant and who arrived on the 4th.

The King of Juabin assured me that his oath would determine the conduct of Sootah, Becquai and Kokofoo, upon whom it would be equally binding.

I may mention that on this occasion the Coomassie Chief attempted to deliver a message from Coffee Calcalli pointing out that Juabin and Coomassie had always been together, when he was met by a storm of vehement language against the King which was with difficulty repressed.

Having waited at Juabin for the prisoners, 19 in number, afterwards increased to 24, until the 9th instant, I left on the morning of the 10th for Coomassie, where I arrived on the evening of the same day.

On the 12th a long palaver took place to consider whether similar conditions to those sworn to by the King of Juabin should now be sworn to by King Coffee Calcalli

At this meeting the old arguments were again gone over, but on the following day the King swore to the following conditions:—

1. Juabin to be independent and King Coffee renounces all authority over it.
2. That he will live at peace with Juabin and not incite others to break the peace.
3. That he will open all roads throughout his dominions to all peaceful traders.
4. Give up all prisoners he now has.
5. All past disputes, &c., to die and not be revived.

At Coomassie 8 prisoners were given up.

I left Coomassie on the 17th instant and arrived here on the 25th, having visited on my way both Becquai and Kokofoo.

With reference to Becquai I ought to state that the King, although determined never to return to his allegiance to Coomassie while Coffee Calcalli is on the throne, expressed his readiness to do so in the event of Coffee Calcalli being dethroned.

I have, &c.

(Signed) C. C. LEES.

His Excellency Captain Strahan,
&c. &c. &c.

No. 107.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord,

Government House, Cape Coast, September 4, 1874.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 17th of July, forwarding a letter from Mr. Fitzgerald, editor of the "African Times," urging that endeavours should be made to obtain possession, for the purpose of education in England, of some person of the royal blood of Ashantee, instead of the boy sent down by the King.

2. The accompanying Memorandum which I have received from Captain Lees as

M 2

the result of his inquiries, goes to show that the heir to the present King is the King's brother, Prince Mensah, who again would be succeeded by Quacoe Duah, the son of the King's sister, the boy who, it is suggested by Mr. Fitzgerald, should be entrusted to the care of Her Majesty's Government, and is, as far as Captain Lees can learn, from 8 to 10 years of age.

3. Your Lordship will probably agree with me that, in the altered state of affairs in the Ashantee Kingdom since the conclusion of the war, as reported in my despatch of the 3rd instant, it would be advisable to defer taking any steps in the matter.

4. I agree with Mr. Fitzgerald that the boy who is now being educated at Cape Coast will be without any influence whatever in Ashantee on his return, or perhaps it would be more correctly stated, without that influence which, from an English point of view, it is expected that a son of the King would possess; but, as matters now stand, I think we cannot without a breach of faith decline to send him to England.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator*.

Inclosure in No. 107.

Memorandum.

THERE is at Coomassie a Prince Quacoe Duah, son of the present King's sister, at present a boy.

I gathered that the King's mother had four children, the eldest son died, the next, Coffee Calcalli, is the present King; the third, Prince Mensah, is the heir (he is about two years younger than the King); and the fourth, a Princess, is the mother of young Quacoe Duah, who will succeed Prince Mensah.

(Signed) C. C. LEES.

Cape Coast, September 3, 1874.

His Excellency the Administrator.

No. 108.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord,

Government House, Cape Coast, September 4, 1874.

FROM the Report of Dr. Gouldsbury, which was forwarded in the Acting Administrator's despatch of the 3rd of April last, your Lordship will have learnt that, in compliance with instructions received from Sir Garnet Wolseley, fines had been imposed by Dr. Gouldsbury upon certain Kings and Chiefs of the western districts of the Settlement, to be paid at the dates specified in the schedule which accompanied the Report above referred to.

2. As the time specified for the payment of all the fines, except one, expired during the month of July, I requested Dr. Gouldsbury on the 1st of August to proceed to the western districts for the purpose of collecting the several amounts.

3. I inclose Dr. Gouldsbury's Report of his proceedings, by which your Lordship will observe that he was successful in collecting the whole of the fine, with the exception of the fine of 56 ounces imposed upon the people of Bossuah, who, after many excuses for delaying payment, at last offered half the amount, which Dr. Gouldsbury very properly refused to accept.

4. I consider that this conduct on the part of the people of Bossuah, whose King is the acknowledged head of the whole of the once troublesome country of Ahanta, afforded me a favourable opportunity of showing to these people, and to the inhabitants of the western districts generally, that they could no longer trifle with the Government with impunity, and accordingly I requested Dr. Gouldsbury to return at once to Bossuah with a force of twenty Houssas to increase the fine from 56 to 70 ounces, allowing a certain time for payment, after which, if the fine was not paid, to arrest the King of Bossuah, and such other Chiefs as he might consider advisable, and bring them to Cape Coast.

5. The full amount, viz., 70 ounces, was handed to Dr. Gouldsbury some hours before the expiration of the time fixed for payment.

6. I am hopeful that the action taken in this matter may go far to establish on a firm basis the authority of the Government in this part of the Protectorate.

7. The total amount collected by Dr. Gouldsbury is 338½ ounces, equivalent to about 1,218l.

I have, &c.
(Signed) GEO. C. STRAHAN, *Administrator*.

Inclosure 1 in No. 108.

Instructions to Dr. Gouldsbury.

WITH reference to my interview of yesterday you will be good enough to proceed this afternoon to windward as far as Appolonia in Her Majesty's ship "Decoy," which will touch to-day at Elmina and await your embarkation, for the purpose of warning the several Kings and Chiefs, named in the report of your late Mission to the windward districts, as having been subjected to certain fines therein stated, that the time of payment has expired, and that, on your way back from Appolonia, the several amounts must be paid over to you, stating the probable date of your return to each Settlement.

I rely upon your exercising great firmness in refusing to accept the usual excuses for delay, and impressing upon the Kings and Chiefs and people generally, that their promises and protestations of loyalty cannot, and will not, be accepted unless borne out by their actions and general conduct.

(Signed) GEO. C. STRAHAN, *Administrator*.
Government House, Cape Coast, August 1, 1874.

Inclosure 2 in No. 108.

Your Excellency,

Elmina Castle, September 1, 1874.

I HAVE the honour to report that, in accordance with your instructions of 1st ultimo, I proceeded to the western districts on 8th of same month in Her Majesty's ship "Decoy," which vessel did not arrive at Elmina until that day.

Having called at the intermediate districts for the purpose of warning the Kings and Chiefs, upon whom fines had been imposed for disloyal conduct during the late war, that the time for payment of these fines had expired, and that, on my return from Apollonia, the several amounts must be paid over to me, I proceeded on to Apollonia, and landed at Baynin on the 10th ultimo. On my arrival I found that King Amakie had already paid his fine into the hands of Mr. Sam, Acting Civil Commandant of Axim, who was at Baynin when I landed.

I, therefore, left Baynin next morning for Axim, being accompanied by Mr. Sam, who informed me that, acting on a Memorandum of mine, he had already collected the fines from the King, of Princes and a portion of the fines from the King of Axim.

On the morning of the 14th ultimo the King of Axim paid over to me the balance of his fine, and having received from Mr. Sam the amounts collected by him, I left for Dixcove, which place I arrived at on the night of the 14th.

On the following day the King of Aquadah paid me his fine, although previous to doing so he begged me to remit a portion of it, which of course I firmly refused.

On the same day also, viz., 15th ultimo, the King of Boussha came in to Dixcove; but I found that he was not prepared to pay his fine, but that he was, after his wont, profuse in excuses, and urgent in pleading for delay. He and his Chiefs begged me to give them two days more of grace, which request I acceded to by giving them up to the afternoon of the 17th ultimo. I first, however, pointed out to them how invalid were the excuses which they had advanced, and warned them of the risk they ran in not acting in a straightforward and upright manner in the affair.

On the afternoon of the 17th, the King and Chiefs not appearing, I sent for them, and, on their arrival, demanded the fulfilment of their promise; to which they replied that they could not pay me all the fine then, but that they would pay me a portion of it, and would discharge the remainder of their obligation in a few weeks' time.

On my refusal to accede to this proposal they entreated that I would give them up to 9 o'clock next morning, 18th ultimo, and they promised faithfully that if I would do so they would pay over to me the full amount of the fine at the hour named. After some consideration, I granted them the time they asked for; but I warned them

in unmistakeable terms that I would not concede any further period to them, and that if they did not fulfil their promise at the appointed hour, I would not remain longer at Dixcove, and, furthermore, that once I left Dixcove without having received the fine I would decline to hold any communication on the subject with them until I had reported their tergiversation to your Excellency.

Nine o'clock next morning came and passed without the King or Chiefs appearing; and at 11 A.M., there being still no sign of the King or Chiefs, I started for Secondee.

As the King of Boussha broke his promise twice, and as he had abundance of warning and time given to him, I deemed it advisable not to delay any longer at Dixcove on his account, and especially so, as it was evident that he and his Chiefs were beginning again and re-enacting the old style of pleading delay and excuses, practising deceit and artifice, and giving promises which they never intended should bear the fruit of performance or fulfilment, all of which conduct characterized the dealings of the Kings and Chiefs of the coast with the Government before the war.

Believing, therefore, that any further concessions beyond those I had already granted the Bousshas would be only an encouragement for the readoption and continuance of the reprehensible line of conduct alluded to, and that such would not only hurtfully effect the Bousshas themselves, but would operate as an inimical example to the other tribes, I acted as I did, and I was gratified to find that your Excellency approved of the course which I adopted.

I arrived at Secondee on the night of the 18th ultimo, and next day I received the Tacorady fine, and also that imposed on Chief Gissah of Secondee.

Leaving Secondee on the evening of the 19th I reached Chama that night, and next morning received the Chama fine from the King.

With the exception, therefore, of the Boussha fine all the fines were now paid.

I returned to Elmina on the evening of the 20th, and next day proceeded to Cape Coast to have an interview with your Excellency.

I informed you of the result of my Mission, and obtained your instructions as to the course which I was to pursue with regard to the Bousshas, viz., to return to Dixcove with a body of Houssas and to increase the Boussha fine from 56 to 70 ounces, allowing a certain time for payment, at the expiration of which, if the fine was not paid, I was with the aid of the Houssas, to arrest the King of Boussha and any of the Boussha Chiefs and captains who I thought it advisable to punish.

As your Excellency will remember, I requested that I might be permitted to proceed with the Houssas by land rather than by sea, for the sake of the good effect that I believed the demonstration of firmness, power, and rapidity of movement on the part of the Government would have on the tribes *en route*, which request your Excellency was good enough to accede to.

As was arranged at the interview, I started from Elmina with a body of Houssas on the morning of the 23rd ultimo, and reached Dixcove at 10 P.M. on the 24th. Next morning, 25th, I informed the King and Chiefs of Boussha that, in consequence of their not having paid the fine, and of their culpable conduct in breaking their promises, your Excellency had added 14 ounces to the original fine, making the amount now demanded 70 ounces; and I gave them up to 10 P.M. on the 26th ultimo for payment, informing them at the same time that failure on their part would be followed by certain and speedy punishment.

At 2 o'clock P.M. on the 26th, that is eight hours before the expiration of the time given them, the King and Chiefs appeared, and paid into my hands the full amount demanded, viz., 70 ounces.

I am thoroughly convinced that the prompt and decided course taken by your Excellency in the affair will have a most desirable effect on the minds not only of the Boussha people but of all the tribes to windward; and that the natives generally will lay to heart the lesson inculcated by the resolute line of conduct exercised towards the Bousshas.

I am of opinion that nothing would be more fatal to the interests of our rule on the coast, and to the prosperity and welfare of the people themselves, than a vacillating and undecided policy, even in small things; and that nothing would be more unfortunate in its results than the system of holding out threats to the natives without carrying such threats into prompt execution.

I have, &c.

(Signed)

His Excellency Captain Strahan, R.A.,
Governor-in-chief, Cape Coast.

V. SKIPTON GOULDSBURY,
Acting Civil Commandant, Elmina.

Governor Strahan to the Earl of Carnarvon.—(Received October 12.)

My Lord,

Government House, Cape Coast, September 9, 1874.

WITH reference to your Lordship's despatch of the 10th of July last,* suggesting that it might be desirable to embody the general substance of your despatch of the 14th of May, in a letter to the King of Ashantee, I beg to inform your Lordship that, having had occasion, at an interview with the Coomassie Ambassadors, to which I have referred in paragraph 14 of my despatch of the 3rd instant,† to explain the views of Her Majesty's Government as contained in your Lordship's despatch on the question of an Embassy which it was in contemplation to send to the King with suitable presents, I took the opportunity of explaining at the same time what were the views of Her Majesty's Government on all the other questions which formed the subject of your Lordship's despatch.

2. The Embassy said that they fully understood all that the Queen had said.

3. I am of opinion that it is unnecessary to write to the King on the subjects treated of in that despatch, and, further, that it is undesirable, as the receipt by the King of a letter from me would probably be followed by a request that I would send some one to him to explain its contents—a request which, under present circumstances, I should have to refuse.

I have, &c.

(Signed) GEO. C. STRAHAN, *Administrator.*

No. 110.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 22, 1874.

I HAVE received your despatch of the 3rd ultimo,‡ forwarding Captain Lees' Report of his mission to Coomassie and Juabin, and informing me of the nature and result of various interviews which had taken place between yourself and the Ashantee Ambassadors at Cape Coast.

I have to express my entire approval of your proceedings; and I request you to convey to Captain Lees the high sense which I entertain of the tact and judgment displayed by him in the negotiations with the Kings of Coomassie and Juabin.

I have, &c.

(Signed) CARNARVON.

No. 111.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 22, 1874,

I HAVE received your despatch of the 4th ultimo,§ reporting that you do not consider it desirable to make any alteration in the arrangement whereby the son of the King of Ashantee is to be educated in England.

I approve of your recommendation, but I should be glad to have your opinion whether the Prince should be sent to this country at once, or whether (as I am disposed to think) it would not be desirable that he should remain in his present position at Cape Coast until he has some knowledge of English.

I have, &c.

(Signed) CARNARVON.

No. 112.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 23, 1874.

IN my despatch of the 3rd July§ I drew your attention, amongst other things, to the question of the establishment of telegraphic communication between various points

* No. 57.

† No. 106.

‡ No. 107.

§ No. 51.

on the Gold Coast, and also to the necessity of constructing and keeping in order good and substantial roads.

I do not doubt that your Report upon these points, which was desired, has been delayed by the pressure of more urgent business, and by the absence of a Colonial Engineer, upon whose professional advice and assistance in these matters you could rely.

I should be glad, however, to learn from you what places you are at present disposed to think it would be desirable to connect by telegraph, stating the distances, or the approximate distances, between each, together with a rough estimate of the amount which you consider it will be requisite to incur in the first instance for roads and necessary public buildings.

I have, &c.
(Signed) CARNARVON.

No. 113.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 27, 1874.

I HAVE received your despatch of the 4th ultimo,* forwarding Dr. Gouldsbury's report of his visit to the western districts to collect fines which had been imposed on certain Kings and Chiefs, and remained unpaid.

I have to express my entire approval of the proceedings of yourself and Dr. Gouldsbury in this matter, which appears to have been carried through with great firmness and success.

I have had under my consideration the question of the best mode of conferring upon Dr. Gouldsbury some substantial recognition of the value of the services which he has rendered on this and previous occasions to the Government of the Gold Coast, and I think that I cannot better mark my sense of those services than by authorizing you to grant to him an addition of 100*l.* per annum to his present salary as Assistant Colonial Surgeon and Acting Civil Commandant at Elmina, which I understand to be 300*l.* per annum.

You will therefore be good enough to take the necessary measures to do this, and will communicate this despatch to Dr. Gouldsbury.

I have, &c.
(Signed) CARNARVON.

No. 114.

Colonial Office to War Office.

Sir,

Downing Street, October 27, 1874.

I AM directed by the Earl of Carnarvon to state, for the information of Mr. Secretary Hardy, that, among the many important questions connected with the government and future well-being of the newly-constituted Colony of the Gold Coast and Lagos, there is none to which his Lordship is disposed to attach greater importance than to the execution with the least possible delay of such public works as are required not only to develop the resources of the country, but to improve to the utmost the conditions of health which, for Europeans, cannot at the best be other than unfavourable. The selection of sites for hill stations, the improvement of communications, whether by road or telegraph, the amelioration of the sanitary condition of the towns, as well as the execution of such works as may prove practicable for developing their commerce, all of them appear to be essential elements in the policy pursued by Her Majesty's Government on the Gold Coast, which demand early and careful consideration.

2. In these circumstances Lord Carnarvon is very anxious to secure the services of a Colonial engineer possessing such qualifications as will enable him successfully to overcome the many difficulties with which he will undoubtedly have to contend. Under the present circumstances of the Colony, and charged as such an officer would be with duties which would bring him into frequent and close contact with native Chiefs and tribes, he should be possessed of unusual tact, energy, and clear-sightedness, in order that the

* No. 108.

works now undertaken may have the greatest possible influence for good upon the future of the country. At the same time, the necessity for reasonable economy renders it essential that he should be full of resource, and with such practical experience as will enable him to turn to the best account the means that he may find ready to his hand.

3. Such being very briefly the class of qualifications which are desired, Lord Carnarvon having found it impossible, partly from the nature of the climate of the coast, and partly from the difficulty of ascertaining accurately the merits of candidates, to choose from the field of selection ordinarily open to him any individual to whom he could with confidence entrust the duties of the post, desires me to request that Mr. Secretary Hardy will be good enough to move His Royal Highness the Field-Marshal Commanding-in-chief to grant to his Lordship the services of an officer of the Royal Engineers.

4. I am to add that, looking to the conditions of climate, and also to the fact that the public works to be undertaken will be of a nature to demand superior talent in their conception rather than in their execution, Lord Carnarvon has come to the conclusion that it will be sufficient if the officer selected be employed only for a limited time, with the view of preparing a special Report upon the works required, and of taking steps for carrying into execution the more pressing services. It is, therefore, proposed, as the definite term attaching to this appointment, that the officer nominated shall proceed with the least possible delay to the Colony, that he shall remain there not less than six months, placing himself at the disposal of the Governor, who will furnish him with all necessary instructions and facilities for the execution of the duties which have been already adverted to in this letter, and that he shall receive as remuneration for his services the sum of 1,000*l.*, with free passage out and home and travelling allowances.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 115.

Governor Strahan to the Earl of Carnarvon.—(Received October '28.)

My Lord,

Government House, Cape Coast, September 24, 1874.

HAVING learnt sometime ago through the Ashantee Embassy that a number of Ashantees were being detained against their will by King Aquasi Baidoo, of Tchufful Denkera, I forwarded a message to the King to have all the Ashantees then in his possession collected and sent to Cape Coast, when according to the choice of each, to be stated in my presence, they would be sent to Ashantee, or allowed to return to Denkera.

2. The King replied, by one of his captains, that there were no Ashantees then in Denkera; that such as had been captured during the war had all died.

3. Having confronted the messenger with one of the Ashantee people who had escaped to Cape Coast from Denkera, and who made in my presence a statement which left no doubt in my mind that there were Ashantees being detained in Denkera, I despatched a messenger along with the captain above referred to, to say to the King that the messenger whom he had sent to me had not spoken the truth, and that I desired that the Ashantees now in his possession might be sent to Cape Coast without delay.

4. My messenger returned along with one of the King's Chiefs, bearing a letter from the King, to the effect that there were no Ashantees in Denkera, with the exception of twelve people, whom he begged I would allow him to retain as water-carriers.

5. Immediately on receipt of this letter, which I looked upon as an attempt to trifle with the Government, I despatched Dr. Gouldsbury, with a force of fifty-three Houssas, to the capital of Tchufful Denkera, with instructions to demand the twelve Ashantees above referred to, and to bring to Cape Coast any others who might be forthcoming; further, to impose a fine of 30 ounces of gold (about 108*l.*) upon the King, for not at once having complied with my orders; and in the event of the prisoners not being given up, or the fine not being paid, to arrest the King and Chiefs, and bring them down to Cape Coast.

6. Dr. Gouldsbury, as your Lordship will observe, succeeded in collecting twenty-one Ashantees and in recovering the fine.

7. Two out of the number elected to return to Denkera; the remainder left for different parts of Ashantee, apparently full of gratitude at being allowed to return to their families.

8. I should not trouble your Lordship with the Reports of these Missions, which may

be looked upon as forming part of the ordinary detail of Government, were it not that prompt punishment of any disregard, however trivial, by the native Kings and Chiefs of established authority has, in my opinion, an important bearing upon the future of the Colony, and that, therefore, it is my duty to report in such cases the action of the Government and the effect upon the people.

9. With reference to the part performed by Dr. Gouldsbury, I can only say that I should consider myself fortunate indeed if I had at my disposal the services of a few more officers of Dr. Gouldsbury's energy, judgment, and physical endurance.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

Inclosure in No. 115.

Your Excellency,

Elmina, September 18, 1874.

I HAVE the honour to report, in accordance with your instructions, I started from Cape Coast with a detachment of fifty-three Houssas, on the morning of the 10th instant, in order to proceed to Tchufful Manpou, for the double purpose of compelling King Quassie Baddoo to deliver up the Ashantees which he was detaining as captives, and by the exaction of the fine which your Excellency had imposed, inflicting punishment on the King and Chiefs for their reprehensible conduct in disobeying your Excellency's positive orders with reference to the Ashantee captives alluded to.

Believing, with your Excellency, that the sooner punishment followed the offence, the more efficacious it would be, both as a punishment and a warning, I made forced marches, and thereby succeeded in reaching Manpou at about 10 A.M. on the 12th instant.

I found that Manpou was in ruins, the town having been destroyed by the Ashantees, and that in consequence thereof the King had changed his residence to a village called Damen. Damen lies beyond the Prah, and is situated about 10 or 12 miles from Manpou. I therefore passed through Manpou, crossed the Prah, and proceeded on to Damen, where I arrived at 2 P.M. on the 12th instant.

I at once marched the detachment of Houssas to the King's quarter, and drew it up in front of the King and Chiefs, who were already assembled under a tree, and were evidently expecting my arrival.

Ignoring the usual form of greeting by refusing to take the King's proffered hand, and dispensing with all preliminary palaver, I proceeded to accuse the King and Chiefs of having disobeyed your Excellency's orders, and of having tried to deceive you as to the number of Ashantee captives which they had in their possession.

I then demanded that all the Ashantees in the district should be delivered up to me not later than the morning of the 14th instant, and informed the King and Chiefs that as a punishment for their disobedient and deceitful conduct, your Excellency had imposed a fine of 30 ounces of gold dust on them.

I stated that I would give them up to 12 o'clock on the 14th instant, for the payment of the fine in question; but I warned them that if the fine were not paid into my hands by the time the sun reached the meridian on the day named, that I would not wait one moment longer, but would proceed there and then to carry into immediate execution the instructions which I had received from your Excellency as to the course which I was to adopt in case of failure on their part to pay the penalty at the appointed time.

I deemed it expedient, as there was a large concourse of people present, to point out to the King and Chiefs the utter want of gratitude which they had shown for all Her Majesty the Queen had graciously done for them, in saving them from a conquering, merciless, and implacable foe, and what a disgrace and reproach such ingratitude was. After administering this rebuke, I told them, that if they rendered implicit obedience for the future to the orders of the Government, they might, in time, erase the blot which stained their character with the base sin of ingratitude.

I also embraced this opportunity of upbraiding the King, Chiefs, and people, for the wretched and disgraceful state of their roads, and of indicating the many advantages which would accrue to them if they made good roads, and maintained them in proper state of repair.

The King replied that all I had said was true, and that he was sorry he disobeyed your Excellency's commands. He also said that he would begin at once to have the roads in his district cleaned and improved.

I may here remark, *par parenthèse*, that I can hardly give your Excellency an adequate idea of the character and condition of the road which leads to Damen. Suffice

it to say that, with the exception of about fifteen miles of the Cape Coast end, this road could not have been worse 100 years ago than it is at the present day.

To resume, the King and Chiefs promised to hand over all the Ashantees they had; said they were very sorry for having acted as they did; and begged that I would intercede for them with your Excellency, in order that the fine might be withdrawn or reduced. This entreaty I promptly refused to comply with; and I, moreover, said that it was totally useless to have any more palaver on the subject. Notwithstanding this, the King persisted in sending deputations to me during the 13th and morning of the 14th instant for the purpose of begging a reduction of the fine.

On the afternoon of the 13th instant 13 Ashantees were sent to me by the King and on interrogating these I found that there were 11 more Ashantees in the King's district. These, however, were delivered up to me at 5.30 A.M. on the 14th instant, and at 6 A.M. I despatched 21 Ashantee captives, under escort of 18 Houssas, to Cape Coast, leaving 3 Ashantees behind who wished to remain where they were.

At 11.30 A.M. I sent word to the King that it only wanted half an hour of the time at which the fine was to be paid, whereupon the King and Chiefs came to me and begged that I would wait another day. In reply, I pointed to the sun, and to the short and rapidly-diminishing shadow it cast.

Seeing, at last, that all hopes of reprieve were futile, and just a moment before the allotted time, the King paid over to me the full fine of thirty ounces of gold dust.

I then gave the King and Chiefs a parting word of warning and advice, and immediately afterwards started with the detachment of Houssas, which, from 11.30 A.M., I had drawn up in readiness for any emergency.

It is hardly necessary for me to assure your Excellency that, had not the Ashantees been given up, and the fine paid at the appointed time, I should have at once carried your instructions into execution by taking the King, Chiefs, and Captains prisoners, and marching them all down to Cape Coast.

We overtook the Ashantees and escort before they reached Cape Coast, where we arrived, as your Excellency is aware, at about 4 P.M. on the 16th instant.

I am glad to be able to report favourably as to the conduct of the Houssa force which accompanied me, and to state that, although the march was a trying one, in consequence of its rapidity, the bad state of the road, and the heavy rains, still the men were obedient, cheerful and active to the last.

I have, &c.

(Signed)

V. SKIPTON GOULDSBURY,

Acting Civil Commandant, Elmina.

His Excellency Captain Strahan, R.A.,
Governor Gold Coast Colony.

No. 116.

Governor Strahan to the Earl of Carnarvon.—(Received October 28.)

My Lord,

Government House, Cape Coast, September 30, 1874.

SINCE reporting to your Lordship in my despatch of the 3rd instant,* on Captain Lees' mission to Coomassie and Juabin, I have little of importance to forward with regard to the state of affairs in Ashantee.

2. As I ventured to predict in that despatch, King Coffee Calcalli has been most persevering in his efforts to obtain my interference to assist him out of his critical position.

3. Messages from the King have been sent to me at the rate of once a week since Captain Lee's return, with requests that I would send some one to Coomassie, first "to arrange matters," then "to look on, and report to me the actual state of affairs."

4. At one time it is urged by King Coffee Calcalli that his people are starving, because the people of Quintanassie stop the roads to his people; which means that the people who were in the habit of going from Coomassie in large numbers with baskets to the Quintanassie rivers, to carry off, for the use of the King and his people, the supplies of fish caught by the people of Quintanassie, are now told that if they want fish they must pay for them.

5. At another time the King informs me that his people are being seized, or that a fetish to which he attaches much importance has been stolen; in fact, every imaginable

falsehood and absurdity are put forward as a reason why I should send "a person to Coomassie to arrange matters."

6. The object of this request is evidently to secure the presence at Coomassie of some one connected with this Government, in whose name the King would endeavour to bring back to allegiance the defected tribes.

7. My reply on each occasion to the King has always been in substance that contained in paragraph 8 of my despatch above quoted.

8. A message such as I believe has never before been sent from Ashantee to the British Authorities on the Coast, reached me yesterday, when a female attendant of the Queen (the King's mother) presented herself at Government House with a message from the Queen, urging her entreaties, in addition to the King's, that I would interfere to prevent the disasters which are threatening their house.

9. I need not say that my reply to the Queen, through the lady, differed in no respect to that already given repeatedly to the King, through his messengers.

10. I cannot help thinking that King Coffee's reign will be but of short duration.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

No. 117.

Colonial Office to War Office.

Sir,

Downing Street, October 28, 1874.

I AM directed by the Earl of Carnarvon to request that you will represent to the Secretary of State for War that a considerable delay has unavoidably arisen in completing the staff of civil officers for the new Gold Coast Colony; and at the present moment the Governor has much important business which he will have great difficulty in performing unless he can receive temporary assistance of a high order.

As it is most necessary at the present time that the Governor should be assisted by persons who have a good knowledge of the Gold Coast, and can be trusted to avoid errors and indiscretions in communicating with the natives, Lord Carnarvon will be much obliged if Mr. Hardy will permit the two officers named in the margin* to proceed at once to the Gold Coast, on special service with the Colonial Government, receiving the full pay of their rank.

As it is of the utmost importance that these officers should proceed at once to the Coast, Lord Carnarvon will be much obliged by Mr. Hardy taking this request into consideration as soon as possible.

I am, &c.

(Signed) ROBERT G. W. HERBERT.

No. 118.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, October 30, 1874.

I HAVE the honour to acquaint you that, with the view of rendering you assistance, and strengthening your Government in the conduct of the important measures which are now in progress, I have applied to the Secretary of State for War, in a letter, a copy of which is inclosed,† requesting that the services of Dr. Rowe and Major Lanyon may be placed at my disposal; and I am in hopes that those officers will leave England for Cape Coast Castle by the mail steamer of the 7th November.

2. I have arranged with Dr. Rowe and Major Lanyon that they should undertake special service at the Gold Coast for about three months; but if you should think it desirable to detain either or both of them for a somewhat longer period, and they should be willing to remain, you will be at full liberty to arrange for their remaining. It is to be understood, on the other hand, that either of them shall be at liberty to come away at any time before the expiration of the three months in the event of the state of his health requiring him to do so.

3. Dr. Rowe will receive pay at the same rate per month as Captain Lees, the

* Surgeon-Major S. Rowe, C.M.G.; Major Lanyon.

† No. 117.

Administrator of Lagos, and Major Lanyon's pay is to be at the rate of 100*l.* per month. Both officers will, of course, receive free passages to and from the Gold Coast.

4. I have informed Dr. Rowe and Major Lanyon of my desire that they should hold themselves in readiness to assist you in any capacity in which you may consider it most desirable to employ them. My present view, however, is that it may be convenient for Dr. Rowe to receive some such title as Acting Secretary for Native Affairs, and to be specially employed in carrying on negotiations with the native Kings and Chiefs respecting the proposed abolition of slave-dealing and slavery, a service for which his experience and knowledge of the native character and customs would seem to peculiarly fit him. If, however, you should be of opinion that it would be advisable to employ him as Acting Administrator of Lagos, in order to keep with you Captain Lees, who has of late taken so large a part in Gold Coast matters, I am quite satisfied of his complete fitness for that duty.

5. I am further disposed to think that Major Lanyon might well be appointed Acting Colonial Secretary, as the experience of official business which he gained under Sir J. Granf in Jamaica will enable him to render you very valuable assistance in this branch or administration; and he has, indeed, already done much towards introducing a better system of transacting business in the Colonial Secretary's Department.

6. Major Lanyon will, of course, sit in the Executive and Legislative Councils of the Colony as "the officer lawfully acting as Colonial Secretary," and I think it will be advisable for you to summon Dr. Rowe to the Executive Council as an extraordinary member, under the 11th clause of the Royal Instructions of 25th June last. A warrant for his appointment to the Legislative Council will be prepared and sent out with as little delay as possible.

I have, &c.
(Signed) CARNARVON.

No. 119.

War Office to Colonial Office.

Sir,

Pal Mall, October 30, 1874.

I AM directed by the Secretary of State for War to acknowledge the receipt of your letter of the 28th instant,* and in reply to acquaint you, for the information of Lord Carnarvon, that Brevet-Major Lanyon, 2nd West India Regiment; and Surgeon-Major Rowe, C.M.G., have been ordered to hold themselves in readiness to embark for the Gold Coast by the earliest opportunity. They will receive the full pay of their rank while employed on special service.

Mr. Hardy presumes that the Earl of Carnarvon will give these officers such further instructions as may be necessary.

I have, &c.
(Signed) FRED. STANLEY.

No. 120.

War Office to Colonial Office.

Sir,

Pal Mall, October 31, 1874.

I AM directed by the Secretary of State for War to acknowledge the receipt of your letter of the 27th instant,† and to acquaint you in reply, for the information of the Earl of Carnarvon, that his Royal Highness the Field Marshal Commanding-in-chief has selected Captain M. T. Sale, Royal Engineers, to perform the temporary duties of Colonial Engineer on the Gold Coast under the conditions named in your letter.

Mr. Hardy presumes that the Earl of Carnarvon will furnish Captain Sale with such further instructions as may be necessary. His address is, "Care of the Deputy Adjutant-General Royal Engineers, Horse Guards, Whitehall."

I have, &c.
(Signed) RALPH THOMPSON.

* No. 117.

† No. 114.

No. 121.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, November 2, 1874.

I HAVE to acknowledge the receipt of your despatch of the 30th September,* reporting that King Coffee Calcalli was continuing his efforts to induce you to interfere for the purpose of bringing back the tribes who have revolted from him to their allegiance, and that you saw reason to think that his reign would be of but short duration. I do not perceive that you could have taken any other course than that reported by you.

I have, &c.
(Signed) CARNARVON.

No. 122.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, November 3, 1874.

I HAVE received with satisfaction your despatch of the 24th September,† forwarding Dr. Gouldsbury's report of the result of his mission to the King of Tchufful Denkera to bring away certain Ashantees who were detained there as prisoners.

I fully and entirely approve of the proceedings of yourself and Dr. Gouldsbury in this matter.

Your report of these proceedings needs no apology, for, as you very truly observe, "the prompt punishment of any disregard, however trivial, by the native Kings and Chiefs of established authority, has an important bearing on the future of the Colony."

I have, &c.
(Signed) CARNARVON.

No. 123.

Governor Strahan to the Earl of Carnarvon.—(Received November 7.)

My Lord,

Government House, Cape Coast, October 8, 1874.

I HAVE the honour to inform your Lordship that a messenger from the King of Western Wassaw arrived here on the 6th instant in charge of twenty-four Crepees, whom the King sent to me with a view to their being sent on to their own country.

2. These Crepees had been living in Ashantee for a considerable time before the commencement of the late war, having been taken prisoners in the raids which were made from time to time by Ashantees into Crepee, and came into the Protectorate with that portion of the invading Ashantee force which was intended for the attack of the western district.

3. On the Ashantees retiring to the interior, it would appear that these Crepees came into the possession of the King of Wassaw, and had been detained by him until the other day, when, without any communication from me on the subject (for I was not aware that he was detaining any such persons), he determined to give them up.

4. I cannot help thinking that this decision was come to in consequence of the action recently taken by the Government in the case of the King of Tchufful Denkera, as reported in my despatch of the 24th ultimo.†

5. If I am correct in this view, it is pleasing that Dr. Gouldsbury's mission to Denkera should have produced a salutary effect in a district which has hitherto always been troublesome, and is one of the furthest removed from the control of Governmental authority.

6. The Crepees left to-day for their own country in high spirits at the prospect of reaching their homes and families, in some cases after an absence of many years.

I have, &c.
(Signed) GEO. C. STRAHAN, Governor.

The Earl of Carnarvon to Governor Strahan.

Downing Street, November 7, 1874.

Sir,

I HAVE already on more than one occasion informed you that I was endeavouring to secure the services of a competent officer for the important post of Colonial Engineer at the Gold Coast.

I now inclose, for your information, copies of a correspondence with the War Office* from which you will learn that at my request His Royal Highness the Field Marshal Commanding-in-chief has selected Captain M. T. Sale, R.E., to proceed to the Gold Coast on the terms mentioned in the letter from this Office of 27th October, and he will leave England by the mail steamer of the 14th instant.

I need hardly, I feel sure, impose upon you the desirability of affording to Captain Sale every facility for proceeding from point to point on the Coast, whether by sea or land, in order that he may be enabled to accomplish as much as possible during the limited period for which it is probable that his services will be at the disposal of your Government.

With reference to Captain Sale's suggestion that he should be invested with the powers of a Magistrate, I have to request you to consider whether there is any objection to such a course being adopted, and if you are aware of none you will be at liberty to issue to him a Commission as Justice of the Peace.

I have, &c.

(Signed) CARNARVON.

Governor Strahan to the Earl of Carnarvon.—(Received November 10.)

My Lord,

Government House, Cape Coast, October 16, 1874.

I HAVE had the honour to receive your Lordship's despatch of the 22nd September,† on the subject of the steps to be taken in laying out the new town of Elmina.

2. I am happy to inform your Lordship that your suggestions have in every particular been anticipated; viz., as regards the laying out of the town regularly, and with open spaces, the selection of a spot as a burial-ground to leeward of the town, and as to an open space being reserved between the two towns.

3. With reference to the third paragraph of your Lordship's despatch, I beg to inform your Lordship that the practice by the natives of burying the dead in their own houses, at Cape Coast, was prohibited by me, soon after my arrival. I assembled the Chiefs on the occasion, and pointing out the dangers of an epidemic breaking out, in consequence of the practice; I informed them that I would not permit it to be continued. The Chiefs thanked me, and proclaimed by gong-gong the prohibition, which the police are instructed to see rigidly carried out.

4. At Elmina, Colonel (now Sir Francis) Festing had prohibited the burial of dead inside the houses, so that it did not exist at the time of my first visit to Elmina; but a long and most earnest appeal was made to me by the Chiefs on that occasion, to remove the prohibition, at least, so far as the burial of Chiefs and the principal members of their families was concerned.

5. I need not say that I remained firm as to making no exception; but made a concession, so far, as to promise assistance in forming a separate burial-place for Chiefs outside the town.

I have, &c.

(Signed) GEO. C. STRAHAN, Governor.

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, November 13, 1874.

I HAVE received with much satisfaction your despatch of the 8th ultimo,* reporting that the King of Western Wassaw had set at liberty and sent down to Cape Coast twenty-four Crepees who had been hitherto detained by him as prisoners.

While acknowledging the good conduct of the King in thus spontaneously releasing his captives, I notice in this an illustration of the good effects produced on the native Chiefs by a firm and decided policy.

I have, &c.
(Signed) CARNARVON.

* No. 123.

APPENDIX.

No. 1.

GOLD COAST.

(Gold Coast and Lagos.)

Charter passed under the Great Seal of the United Kingdom, revoking so much of the Commission (also under the Great Seal), dated the 19th of February, 1866, as provides for the Government of Her Majesty's Settlements on the Gold Coast and of Lagos; and constituting those Settlements into a separate Colony, to be called the Gold Coast Colony; and providing for the Government thereof.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, Greeting:

I. WHEREAS, by certain Letters Patent, under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the nineteenth day of February, 1866, in the twenty-ninth year of Our reign, provision was made for the Government of Our Settlements on the West Coast of Africa, as therein is more particularly described: And whereas, by a Supplementary Commission under the Great Seal aforesaid, bearing date at Westminster, the eighth day of November, 1872, in the thirty-sixth year of Our reign, We did empower Our Governor and Commander-in-chief of Our West Africa Settlements to grant pardons to offenders in the manner and upon the terms therein mentioned: And whereas, by Our Commission under the Great Seal aforesaid, bearing date the twenty-fifth day of July, 1873, in the thirty-seventh year of Our Reign, We did constitute and appoint Our trusty and well-beloved George Berkeley, Esquire (now Companion of Our Most Distinguished Order of Saint Michael and Saint George) to be, during Our will and pleasure, Our Governor and Commander-in-chief in and over Our said West Africa Settlements: And whereas it is expedient that provision should be made for the Government of Our Settlements on the Gold Coast and of Lagos, apart and separate from the Government of Our other Settlements on the West Coast of Africa: And whereas, by an Act made and passed in the sixth year of Our reign, intituled, "An Act to enable Her Majesty to provide for the Government of her Settlements upon the coast of Africa and in the Falkland Islands," it was enacted that it should be lawful for us, by any Commission under the Great Seal of Our United Kingdom, or by any Instructions under Our Sign-Manual and Signet accompanying and referred to in any such Commission, to delegate to any three or more persons within any of the Settlements aforesaid, either in whole or in part, and subject to all such conditions, provisions, and limitations as might be prescribed by any such Commission or Instructions, the power and authority to make and establish all such Laws, Institutions, and Ordinances and to constitute such Courts and Officers, and to make such provisions and regulations for the proceedings in such Courts and for the administration of justice as might be necessary for the peace, order, and good government of Our subjects and others within Our then present or future Settlements on the said Coast: Now know ye that We do by these Our Letters Patent, under the Great Seal aforesaid, declare Our pleasure to be that Our said Letters Patent of the nineteenth day of February, 1866, Our said Supplementary Commission of the eighth day of November, 1872, and Our said Commission of the twenty-fifth day of July, 1873, shall be, and they are hereby revoked so far as regards Our said Settlements on the Gold Coast and of Lagos, or any part or parts thereof; and We do further declare Our pleasure to be that those Settlements shall constitute, and they are hereby erected into a separate Colony under the title of the Gold Coast Colony.

II. And We do further declare Our pleasure to be that Our Settlement on the Gold Coast shall, as heretofore, and until otherwise provided by Us, comprise all places, settlements, and territories which may at any time belong to Us in Western Africa between the fifth degree of west longitude and the second degree of east longitude. And Our Settlement of Lagos shall, as heretofore, and until otherwise provided by Us, comprise all places, settlements, and territories which may at any time belong to Us in Western Africa between the second and fifth degrees of east longitude.

III. And We do further declare and appoint that the Government of Our said Colony shall be administered by a Governor duly commissioned by Us on that behalf.

IV. And We do further declare Our pleasure to be that there shall be within Our said Colony a Legislative Council, which shall consist of Our said Governor for the time being, and of such other persons or officers, not being less than two in number, from each of Our said Settlements, as shall be named or designated by or by virtue of any Instruction or Instructions, or by any Warrant or Warrants to be by Us for that purpose issued under Our Sign Manual and Signet, and with the advice of Our Privy Council; all of which persons or officers shall hold their places in the said Council during Our pleasure.

Cites Commission of 19th February, 1866.

Cites Supplementary Commission, dated 8th November, 1872.

Cites Governor Berkeley's Commission, 25th July, 1873.

Gold and Lagos Settlements to be formed into one Government.

Cites 6th and 7th Vict., cap. 13.

Revokes so much of the recited Commission as relates to the Government of the Gold Coast and Lagos Settlements as part of the West Africa Settlements.

Title of the United Settlements.

Limits of the Gold Coast Settlement defined.

Limits of the Lagos Settlement defined.

Appointment of a Governor, &c.

Establishment of a Legislative Council for the Colony.

Powers of Legislation.

V. And We do further by this Our Commission under the Great Seal of Our United Kingdom aforesaid delegate to the persons, who within Our said Colony shall compose the Legislative Council thereof, full power and authority, subject always to such conditions, provisions, and limitations as may be prescribed by any Commission or Instructions, to establish such Ordinances not being repugnant to the law of England or to any Order made or to be made by Us with the advice of Our Privy Council, and to constitute such Courts and officers, and to make such provisions and regulations for the proceedings in such Courts and for the administration of justice, as may be necessary for the peace, order, and good government of such Colony.

Governor's veto on laws.

VI. And We do further declare Our pleasure to be that Our said Governor shall have a negative voice in the passing of all such Ordinances aforesaid: and We do also hereby reserve to Ourselves, Our heirs and successors, Our and their right and authority to disallow any such Ordinances as aforesaid, in the whole or in part, such disallowance being from time to time signified to him through one of Our Principal Secretaries of State, and also to make and establish from time to time, with the advice and consent of Parliament, or with the advice of Our or their Privy Council, all such law or Ordinances as may to Us or them appear necessary for the order, peace, and good government of Our said Colony as fully as if these Presents had not been made. And We do further declare Our pleasure to be that in the making and establishing of all such Ordinances the said Legislative Council shall conform to and observe all such rules as may from time to time be directed or appointed by any Instruction or Instructions issued by Us with the advice of Our Privy Council.

Disallowance of laws.

VII. And We do further declare and establish that the Laws now in force in Our said Colony shall continue in force as long and as far only as they are not repugnant to or repealed by any Ordinance passed by the Legislature of Our said Colony.

Existing laws to continue in force unless repugnant to Ordinances of Colony. Executive Council.

VIII. And We do further declare Our pleasure to be that, for the purpose of advising Our said Governor, there shall be for Our said Colony an Executive Council, which shall be composed of such persons and constituted in such manner as may be directed by any Instructions which may from time to time be addressed to Our said Governor by Us under Our Sign-Manual and Signet, and all such persons shall hold their places in the said Council at Our pleasure.

Public Seal.

IX. And We do further authorize and empower Our said Governor to keep and use the public seal of Our said Colony, for sealing all things whatsoever that shall pass the said seal: and We do direct that until a public seal shall be provided for Our said Colony, the public seal of Our Settlement on the Gold Coast shall be used as the public seal of Our said Colony for sealing all things whatsoever that shall pass the said seal.

Land grants.

X. And We do authorize and empower Our said Governor to make and execute in Our name and on Our behalf, under the said public seal, grants and dispositions of any land which may be lawfully granted or disposed of by Us within Our said Colony, either in conformity with Instructions under Our Sign-Manual and Signet, or in conformity with such Regulations as are now in force, or may be made by him in that behalf, with the advice of Our said Executive Council, and duly published in Our said Colony.

Appointment of judges and other officers.

XI. And We do further authorize and empower Our said Governor to constitute and appoint all such Judges, Commissioners of Oyer and Terminer, Justices of the Peace, and other necessary Officers and Ministers as may lawfully be appointed by Us, all of whom shall hold their offices during Our pleasure.

Grant of pardons.

XII. And We do further authorize and empower Our said Governor as he shall see occasion, in Our name and on Our behalf, when any crime has been committed within Our said Colony, or for which the offender may be tried therein, to grant a pardon to any accomplice, not being the actual perpetrator of such crime, who shall give such information and evidence as shall lead to the apprehension and conviction of the principal offender: and further to grant to any offender convicted of any crime in any Court, or before any Judge, Justice, or Magistrate within Our said Colony, a pardon, either free or subject to lawful conditions, or any respite of the execution of the sentence of any such offender, for such period as to him may seem fit, and to remit any fines, penalties, or forfeitures which may become due and payable to us.

Remission of fines.**Power of suspension.**

XIII. And We do further authorize and empower Our said Governor upon sufficient cause to him appearing, to suspend from the exercise of his office within Our said Colony any person exercising the same under or by virtue of any Commission or Warrant granted, or to be granted by Us, in Our name, or under Our authority; which suspension shall continue and have effect only until Our pleasure therein shall be known and signified to him. And We do hereby strictly require and enjoin him, in proceeding to any such suspension, to observe the directions in that behalf given to him, by any Instructions under Our Sign-Manual and Signet as may be hereafter addressed to Our said Governor for the time being.

Governor to reside in Gold Coast Settlement.

XIV. Our will and pleasure is, and We do hereby direct that, in the execution of this Our Commission, and in the exercise of the command hereby vested in Our Governor for the time being, he be resident in Our Settlement on the Gold Coast, or at such place or places in the Territories adjacent thereto as may from time to time be appointed for the residence of Our said Governor, except when the interests of Our service may render his appearance desirable in Our Settlement of Lagos.

Administration of the General Government in case of the Governor's death or absence.

XV. And whereas it is necessary that provision be made for the execution of this Our Commission in the event of the death or incapacity of Our said Governor, or of his removal from his command, or of his absence from the limits of his said Government: Now, therefore, We do further declare Our pleasure to be that, in any such event as aforesaid, all and every the powers and authorities hereby vested in him, shall be, and the same are hereby vested in such person as may be appointed by Us under Our Sign-Manual and Signet to be Our Lieutenant-Governor of Our said Colony, or if there shall be no such Lieutenant-Governor, then in such person or persons as may be appointed by Us under Our Sign-Manual and Signet to administer the Government of Our said Colony, and in case there shall be no person or persons within Our said Colony so appointed by Us, then in the person for the time being administering the government of Our Settlement of Lagos who shall, for such time as he administers

the government of Our said Colony, be called the Administrator of the Gold Coast Colony: Provided always, and We do further declare Our pleasure to be, that Our Governor for the time being, during the period of his passage by sea from either of the Settlements aforesaid to the other of the said Settlements, or while visiting or residing at any place in any of the territories adjacent thereto, shall not, for any of the purposes aforesaid, be considered as being absent from the limits of his said command.

Governor's temporary absence from the seat of Government.

XVI. And We do further declare and direct that, during his absence from Our said Settlement on the Gold Coast, but while he is within the limits of his said command as aforesaid, Our Governor may, if he thinks fit, appoint some person to act as his Deputy in administering the Government of Our said Gold Coast Settlement, upon such terms and conditions, and for such time as he may think desirable for the good government of Our said Settlement; and all or such of the powers and authorities aforesaid as Our said Governor, in his discretion shall from time to time think it necessary or expedient to assign to such Deputy, shall, so far as the same shall be exercisable within such Settlement, be vested in such Deputy.

Governor may appoint Deputy at the Gold Coast during his absence within the limits of his Government.

XVII. And We do further declare that so long as Our said Governor, or (as the case may be) Lieutenant-Governor or Administrator of the Gold Coast Colony, shall be absent from Our Settlement of Lagos, all and every the powers and authorities, except the powers of suspension and pardon, hereby vested in Our said Governor, and so far as the same shall be exercisable within such Settlement, shall be vested in such person within the same as may be appointed by Us by Warrant under Our Sign-Manual and Signet to administer the government thereof; and in case there shall not be within such Settlement any such Administrator, then We declare that the said powers and authorities shall, in Our said Settlement of Lagos, be vested in such person and upon such terms and conditions and for such time as Our said Governor, Lieutenant-Governor, or Administrator of Our Gold Coast Colony, as the case may be, shall provisionally from time to time appoint, subject to Our approval. And We do further declare and provide, that the officer for the time being administering the Government of Our said Settlement of Lagos shall, in the discharge of such his office, conform to and observe such Instructions as shall, for that purpose, be addressed to him by Our said Governor in the execution of this Our Commission: Subject, nevertheless, to all such rules and regulations in that behalf as may from time to time be contained in any Instructions under Our Sign-Manual and Signet, addressed to Our Governor for the time being of Our said Gold Coast Colony.

Administration of the Government of the Settlement of Lagos in the absence of the Governor.

XVIII. And We do further direct and enjoin that this Our Commission shall be read and proclaimed within Our said respective Settlements on the Gold Coast and of Lagos, and that a transcript thereof shall be deposited and duly recorded in Our said Settlements, this Our original Commission being preserved within Our said Settlement on the Gold Coast.

Publication of Commission.

XIX. And We do hereby require and command all officers, civil and military, and all others the inhabitants of Our said Colony to be obedient aiding and assisting unto Our said Governor for the time being, and to the officer appointed to administer the Government of Our said Settlement of Lagos, in the execution of this Our Commission, and of the powers and authorities herein contained.

Officers and others to obey and assist the Governor.

XX. And We do hereby reserve to Ourselves, Our heirs, and successors, full power and authority from time to time to revoke, alter, or amend this Our Commission as to Us or them shall seem meet.

Power reserved to His Majesty to revoke, alter, or amend the present Commission.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the 24th day of July, in the thirty-eighth year of Our reign.

By Warrant under the Queen's Sign-Manual.

C. ROMILLY.

No. 2.

SIERRA LEONE, WEST AFRICA.

Report on Plans of proposed Main Sewering and Drainage of Freetown; as also upon certain suggested Extensions and Improvements in the Supply of Water for Public and Domestic purposes.—(By Robert Rawlinson, C.E., Civil Engineer.)

To the Crown Agents for the Colonies.

Gentlemen,

London, March 1874.

ON the 2nd of February, 1874, I received certain Sanitary Commission Reports and details relative to the defective condition of Freetown, Sierra Leone, as also plans, estimates, and bills of quantities for new sewerage Freetown, with instructions that I would examine the whole and report as to the sufficiency of the proposed sewers for the purposes for which they have been designed. Subsequently I received certain papers relative to the quality of the water drawn from the sources of supply above the town. I regret that press of business and sickness have prevented me giving immediate attention to the papers.

The Report by the Local Sanitary Committee is dated 18th November, 1873. This Report is an account, in detail, of the mal-arrangements and impurities observed by the members of that Committee at the time of their inspection.

The Report is, in fact, a catalogue of nuisances repeated and reiterated street by street and house by house. This foul condition seems in some degree to have been a surprise to the Committee; but, bad as Freetown is reported to be, it need not be considered much worse than some European cities and towns, both on the Continent and in Great Britain.

The filth in Europe may not be so visible on the surface, but it is no less present and no less deadly because, in some cases, it may be partially hidden from sight. The privy pits in Freetown are a mistake, as this concentration and retention of excreta in mass permits of corruption and fermentation which, in such a climate, loads the air with malaria of the most deadly character. Cesspools (which

are covered) and cesspits and privy pits (which are open) ought to have no existence within the area of a town, nor in the country either, excepting under special management for agricultural purposes. Supposing Freetown had no sort of cesspool, cesspit, privy-pit, sewer, drain, nor water-closet, but used the surface of the ground, as regards health, the inhabitants would be in a safer position—as the rains would wash, the sun would dry, and the air would dilute the unsightly scatterings.

Examples of the several conditions indicated have been inspected, and health returns have confirmed the conclusions, viz., better let the surface be made unsightly with excreta than have the ground within a town honey-combed with cesspits, privy-pits, or with sewers and drains, full of accumulated filth, putrid and putrifying. I must not be supposed to repudiate proper sanitary works and appliances, which I have been for so many years devising, recommending, and executing, but to be considered as merely explaining facts and effects as I have observed them. Where town sewers, house drains, privies, soil pans, or water-closets, which may be safely used by the population, are physically or pecuniarily impracticable, there must be some other rough, ready, and cheaper mode of town and house cleansing, some form of moveable apparatus, in place of a privy cesspit and unceasing surface scavenging, as it is probable that less than the interest of the capital necessary for complete sanitary works on plans and details devised according to the most recent and best models of England will more than pay for a full and complete daily scavenging; and, it must be remembered, with the best devised and most complete and costly English sanitary works in use by the most civilized and refined class of the people, there must be unceasing watchfulness, occasional repairs, occasional cleanings, and surface scavenging. In Freetown, with such a subsoil, rainfall, and climate, after executing sewers, drains, and other contingent works, under the hands of such a population, the trouble and cost of the necessary flushing and repairs of choked drains and sewers would add very largely to the cost.

This has been found to be so in certain cities and towns in India. Sewers, drains, soil pans, or trough-closets, cannot be left to the care of half-civilized populations without speedily going to destruction and the vicinity of the houses becoming worse than before such sanitary works were established. Every element, every condition, and all the contingencies in such a problem as that of dealing with the proposed sanitary improvement of Freetown and its inhabitants should be well considered before any decision is arrived at. That I may better illustrate the suggestions I shall subsequently make I will briefly explain the natural features of the country, as detailed in "McCulloch's Geographical Dictionary" and in other works of a similar character.

"Freetown is situate on the northern shore of the Peninsula of Sierra Leone, which is on the West Coast of Africa, and extends about twenty-five miles north and south; conical mountains rise from 2,000 to 3,000 feet elevation above the sea, having a margin of land of from 1 to 5 miles in width from the mountain slopes to the sea shore." This margin of land consists, for the most part, of detritus washed by the heavy tropical rains from the mountains, and has the surface slope given to it by the action of water, rivulets and streams cross and channel the land from the mountain to the sea, and there are springs of water at various points; water is also found at many places in the substrata near the surface; the subsoil is reported to be of a "gravelly character;" there will, however, be such a mixture as the mountains immediately above have from time to time contributed. The surface contour line of the mountain slopes will also be continued beneath the covering "talus" or alluvium down and into the sea.

The fall of rain at Sierra Leone is excessive. During the three monsoon months, some 300 inches of rain have fallen, and even 30 inches have fallen in 24 hours; during these periods, the mountains are covered by dense fogs, and the atmosphere is fully charged with heated vapour. The mountains are, in fact, acting on the vapour-laden atmosphere driven in from the ocean, at such times, as huge condensers. The mountain slopes and the marginal plains are then covered with water, and every stream, rivulet, and gully has become a torrent, and the low-lying lands are swamps. Under such conditions there will be great alterations in the contouring of the surface of the land, as the excessive rains and torrents of water will disintegrate and remove, in one day, incalculable weights of stone and earth. If sewers and drains were made, they might, on such occasions, be washed out of the earth. During the most violent periods of the monsoons in this terrible climate, the lightnings play, the thunder reverberates, and the floods of water roar down the ravines and sides of the mountains, deluging and swamping the plains, rivers, and streams, which are shallow, quiet, and fordable in the dry seasons, quickly rise in flood 60 and 70 feet vertical, having a velocity which tears up and carries away earth, rocks, trees, and any other obstructions which may become exposed to the violence of this flood-water action.

Any bridge or river works, of the civil engineer, not of sufficient strength, or sufficiently out of the way of such floods, are seriously damaged or are destroyed.

The experience of a few seasons may not be a safe guide, as floods of the heaviest and most destructive character only occur at intervals, which may be several years apart.

Before engineering works of a character intended to have permanency are decided upon, the height of the worst flood possible should be ascertained and be provided for.

Free Town.—On the north-east is bounded by Swan's Bay, and on the north-west by Croo Bay; to the east, Nichol's Brook flows down towards the west; Sanders' Brook flows from the south, through the town, to Kroo Bay, and, on the west, the town is bounded and washed by a larger stream not named on the map.

The source of the water-supply is shown to be a little way inland to the south-east. Fort Thornton and the barracks are on sites about the centre of the town; a new burial-ground is shown to the south and east, not far from the water-supply source. The several streets are laid out in straight lines. The Colonial Engineer has designed his proposed sewers down the centres of the streets, and has provided for five separate outlets, some being for "storm waters," the others for sewage.

The larger and main sewers are of bricks; the tributaries, or smaller sewers, are to be of earthenware pipes.

There are to be manholes, flushing-chambers, and sewage tanks. The plans, detailed drawings, specification, and bills of quantities show, in fact, a complete system of main sewers, to be upon the best English model. House drains are not, however, shown upon these plans.

The sewers, the Surveyor states, are designed to provide for a considerable increase of both town area and of population.

The estimate for sewers alone is given in the bill of quantities as 29,560*l.* 4*s.*, that is, in round figures, 30,000*l.*

This would be for the public portion of the works, and, as the sewers are designed and estimated for after English examples and prices, the necessary house-drains, with soil-pan, sink, and water-closet apparatus, would, as in England, about double this estimate, making the cost of sewers, drains, closets, and sinks complete, about 60,000*l.*

A complete water-supply, to make the working of sewers, drains, and closets efficient, would not however, be executed at a less cost than 60,000*l.* additional, so that sewers, drains, and water-supply may be estimated, in round figures, at about 120,000*l.*

But sewers, drains, and water-supply would not be complete without street forming, paving, channelling, and flagging, and the cost of such work on the English plan to suit the sewers and drains would not be less than the combined cost of sewers, drains, and waterworks; so that 250,000*l.* in round numbers may be taken as the estimate required to form Free Town, Sierra Leone, after a good English model. If, however, the works were begun and persevered in, I believe that a much larger sum would be found to be necessary, as the cost of materials and labour would be much greater than in England; and, by reason of the climate, the contingencies would be more numerous and far more costly.

The fearful tornado-rain of one day, if it caught the sewer-work in its progress, might fill up or wash out the whole of the trenches and sewers opened or laid.

I have described the probable estimate in gross with some degree of regret, because I have no wish to discredit the Colonial Engineer, nor to retard proper sanitary works in the town, but I feel bound to act up both to the letter and to the spirit of my instructions, and not only to report as "to the sufficiency of the proposed plans," but also as to their contingent cost; because to execute sewers and drains as designed and estimated, without also estimating water-supply, street-forming, and paving to complete the town work, would only be to waste money on sewers which would not serve their intended purposes.

It is very difficult for me, not having seen the place, to indicate correctly the sort of works which may be most fitted for the site, for the climate, and for the conditions of habitation and of the inhabitants. Sewers and drains on the English plan are not, however, in my opinion, suitable; and I think, therefore, the idea of constructing such sewers and drains had better be abandoned. The several water-courses flowing past and through the town may be improved, so as to afford an even channel for the water during the dry portion of the seasons, and the northern shore front of the town, from Susan's Bay to Croom Bay, and the shore margins of the several streams, may be improved by a shore-wall which shall cut off any flat sloping places liable to be half swamp, half salt water, polluted by garbage and refuse in the dry periods, to putrify beneath the heat of a tropical sun.

The main streets may be formed and channelled so as to deliver surface water to the nearest outlet available, and the outlets and upper portions of the streams may have economical arrangements constructed for drawing in a portion of water to be used for occasional flushing. An intercepting watercourse or flood water conduit may be formed above the town to cut off any storm waters which now inundate the streets during the heavy rains. Because refined and costly works cannot be undertaken, it does not follow that the case is hopeless, and that nothing useful can be done, as very much may be accomplished with the material, the means, and the appliances at hand, if the engineer is ready at expedients, and will make the most and the best of the case.

Surface cleansing by human labour at short intervals, and with regularity, must be the basis of sanitary improvements in such a situation, beneath such a climate, and with such a population as that of Sierra Leone. An improved water-supply is a much more simple matter than sewers and drains, as the works and their cost, for water, may be such as the Local Government can reasonably provide us; nature fortunately offers good water, in abundance and tolerably near at hand, so that all which is required to render as much of this water available as may be desired is to enlarge the service reservoirs,—and provide and lay down larger, better, and more supply-mains, to and throughout the town,—the water being under moderate pressure. Public stand-pipes should also be more numerous than at present, so as to afford easy facilities for water to be drawn by the inhabitants throughout the entire area of the town; all these apparatus and fittings being of the strongest and most approved form of "water-waste prevention."

The town, standing as it does on a wet sub-soil, having a surface sloping from the mountains to the bay, with swamping areas which are submerged during heavy rains, can only be prescribed for or be properly dealt with, in detail, by persons who have a local knowledge and some local experience.

There are some sub-soils so tenacious, that is, so retentive of moisture as to be very difficult to dry by ordinary drains. Houses should not be placed on these swampy sites; but, if for trade or other purposes it does become necessary to build on a low and wet site, the foundations should be raised: and, if the building is either a barrack or hospital, there should be full and free means for ventilation and for cleansing betwixt the surface of the site (which should be covered by concrete) and the basement floor.

The Colonial Engineer, in his report, estimate, and bill of quantities, has most properly intimated that the materials to be obtained, or which may be made on the site or within the district should be utilized, and with this suggestion I agree.

I do not, however, think that Free Town, Sierra Leone, can with advantage be sewered and drained upon the best English models, though I consider that the site may be greatly improved by

cutting off surface flood-water by improving the natural streams past and through the town, by filling in and levelling swampy sites and by improving and channelling the main streets.

The refined sanitary appliances of England, as is shown by my estimate, would be out of place and far too costly for such a population, and without unceasing supervision, would be useless.

Cesspools and cesspits and privy-pits to retain putrid excreta in mass, should be abolished, and scavenging and surface cleansing should be rigidly attended to and enforced.

Trough-latrines or any form of dry-earth apparatus or the system known as "Gaux system," and which is carried out over one section of the Camp at Aldershot, and is in use in some English towns, would be costly for such a population as that of Free Town. Latrine pits of small dimensions, having movable seats over,—and which pits can be emptied, or be filled in at short intervals,—will be the cheapest mode of dealing with the excreta. The plan to be adopted must, in my opinion, be one connected with surface cleansing (at short intervals) rather than one of permanent works in any form known to me at present.

An improved water-supply under pressure through cast-iron pipes carried into and along the main streets, with fixed hydrants and strong "water waste preventor services," at convenient intervals apart, should be established. The water, by analysis, is reported to be good.

Conclusions.

That sewers, drains, and trough-latrine, or soil-pan, and water-closet apparatus, as in English towns, will be unsuited for the Freetown population and far too costly.

That water in abundance and of good quality is obtainable near to the town, and may be brought under pressure through mains of cast iron into and along the principal streets, and be distributed at stand pipes placed at convenient distances apart.

That intercepting channels may be formed betwixt the hills and the town of sufficient cross-sectional area as shall prevent much of the injurious surface flooding which now occasionally takes place; and that the several water-courses may be improved so as to form wholesome surface drains at all periods.

That the shore line of the bay may be improved by the construction of a rubble stone or rough timber wharf wall, which shall cut off the line of shallow water, and that any shore swamps may be filled up.

That the streets may be channelled, and that their surfaces generally may be put in better form than they are in at present.

That a system of daily scavenging be established, and that burials of the dead be extra-mural.

I have, &c.
(Signed) ROBERT RAWLINSON.

P.S.—Street channels may be fed with water from the hills above, so as to have a constant flow; and these channels may communicate with the improved watercourses, and with the bay, in such a manner as to wash surface filth out and into deep water, the surface channels to act in place of sewers.

R. R.

CORRESPONDENCE relating to the Affairs
of the Gold Coast.

—

*Presented to both Houses of Parliament by Command
of Her Majesty. February 5, 1875.*

LONDON:
PRINTED BY HARRISON AND SONS.

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FURTHER CORRESPONDENCE

RELATING TO THE

ABOLITION OF SLAVERY

ON THE

GOLD COAST.

(In continuation of C. 1139 of 1875.)

*Presented to both Houses of Parliament by Command of Her Majesty.
February 9, 1875.*

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Further Correspondence relating to the Abolition of Slavery on the Gold Coast.

No. 1.

Governor Strahan to the Earl of Carnarvon.—(Received February 6.)

My Lord,

Government House, Cape Coast, January 3, 1875.

I HAVE the honour to forward to your Lordship copy of a document which I have received purporting to be a petition of certain Kings and Chiefs of the Protectorate.

2. The names which appear upon it, besides those of twelve Cape Coast Chiefs, are those of the Kings of Mankessim, Abrah, Ecommfie, Inkosokoom, and Gomoah, two Chiefs of Salt Pond, and twenty-three other Chiefs, mostly of small dependencies of Mankessim and Abrah. I may remark that the districts represented by the Kings are in immediate contiguity with each other, and comprise a part of that limited area of territory bearing the specific name of Fanti country which, as your Lordship is aware, constitutes only a very small portion of the Protectorate. The assertion of representative character as being "for all Kings and Chiefs of the Protectorate" is an assumption which simply has no warrant or foundation whatever.

3. Being aware how unreliable are written communications purporting to emanate from the uneducated class of the population, there being no security that the views of the parties professedly represented are correctly given, nor even, indeed, that the names on such documents have been placed there with the authority or knowledge of their owners, I considered it desirable before making any answer to the petition to send for as many of the persons whose names appeared on it as I could possibly collect, for the purpose of ascertaining from themselves the real nature and object of the representations they might be desirous of making. Accordingly the five Fanti Kings already named (who it appeared happened to be in Cape Coast in consequence of a law suit in which they had been for some time engaged) gave their attendance, as well as several of the Cape Coast and other Chiefs.

4. The result of the conversations which I had through the interpreters, first, with each of the Kings and their respective Chiefs separately, and then with all of them together, confirmed the surmises which I had originally formed as to the character of this petition, the statements which I received from them being in essential particulars entirely at variance with what they are made to say in the document.

5. Your Lordship will observe that the petition sets out with the assertion that I informed the Kings and Chiefs at the meeting which took place at Cape Coast on the 3rd November, that "while no more slaves were to be purchased or pawns taken, yet no slave could leave his master or mistress without cause shown and proof of cruelty or maltreatment." It is then stated that subsequently to the meeting slaves have been set at liberty simply because they were no longer desirous of serving their masters, contrary, it is said, to what the petitioners were told and made to understand at the meeting. The supposed hardship and mischievous results anticipated from the general emancipation of slaves and pawns without compensation to their owners are then stated and enforced by a variety of arguments which are not likely to find sympathy in the mind of any English reader, and on which I need make no comment.

6. In order that the form of my questions should avoid suggesting the answers which should be returned, I confined myself at first to requesting each of the Kings who met me on this occasion to state verbally the purport of whatever representations he had desired to make to me by means of the petition in which I informed him his name appeared. The tenor of all the replies was the same, and was that these Kings, having been detained in

Cape Coast in attendance on the lawsuit before alluded to, had not been able to return to their country since the meeting of the 3rd November; that, while thus residing in Cape Coast, they had been informed that various of their people had left their villages and gone to different parts of the country; that they themselves had done nothing to cause this, but it had taken place in many instances, as they were informed, by reason of persons who had gone into the country misstating the effect of the Queen's Message as if it had conveyed an order that servants were now obliged to leave their masters, and that they, the Chiefs, had not thus understood the Message.

7. I also found that, on the subject of pawns, a misconception on the part of certain of the Chiefs had arisen from an error mentioned, into which it appeared the Magistrate at Saltpond had fallen, notwithstanding his instructions, viz., in supposing that he ought not to take cognizance of claims of debt where pawns had been given in security. The misconception of the Chiefs was easily removed, and it was explained to them that the local magistrate had made a mistake which would be corrected by additional instructions; and this accordingly has been done.

8. Having regard to the terms of the Petition, I was anxious to ascertain, as thoroughly as possible, whether there had been any such misapprehension on the part of any of the Kings and Chiefs of the announcement made at the meeting of the 3rd November, as these terms indicated. Accordingly, I asked them whether I had said anything on that occasion leading them to suppose that the liberty of any servant to leave his master was conditional, on cruelty or maltreatment of the servant. The replies were, that they, the speakers, quite understood what had been said at that meeting; that no conditions to the freedom of the servants were stated, and that the topics of cruelty or maltreatment were not mentioned. The King of Gomoah, who is a native of much intelligence, added in his reply, that I had informed the Kings and Chiefs that if, by kind treatment, they could induce their servants to remain with them, they were at liberty to do so, but that, if the servants wished to go, they should be at liberty to go, and could not be prevented.

9. I then caused to be interpreted that part of my statement of the 3rd November, in which I had informed the Kings and Chiefs that the Queen did not desire to force those who had been domestic slaves to leave their former masters, whilst, on the other hand, none could be compelled to continue living with their masters or to return to them, who did not wish to do so. This was followed by an interpretation being made of the notes which had been taken of what had been said by the Kings and Chiefs at the meeting, in answer to my statement, as well as my own reply to them. It was stated by all who were present that the passages interpreted were the identical words which they had previously heard at the meeting, and which they had themselves made use of in their answer.

10. In the course of this meeting various matters were discussed, collateral to, rather than directly connected with, the emancipation of slaves and pawns, with the details of which I need not trouble your Lordship. Towards the conclusion, the King of Gomoah, speaking for himself and for all who were present, expressed their satisfaction at having learned from me that the reports as to their servants being obliged to leave them had proceeded from no authority, and that the servants were (as they had originally understood) free to remain with them if they chose; and likewise at having had pointed out to them their proper mode of proceeding against the actual debtors for recovery of outstanding debts. On my asking whether there were other matters on which any one was desirous of making representations, no further subject was brought forward, and all expressed themselves satisfied with what had taken place.

11. It is worthy of observation that the subject of compensation, which is, as it were, the keynote of the Petition, was not once alluded to by any of the speakers, nor were any of the argumentative topics of which it is so largely made up. After having assured myself that the effect and purport of the scheme of emancipation was thoroughly understood by all who were present, and having given explanations upon the questions which had arisen, I reminded the Kings and Chiefs of the obligations they owed to the Queen, and informed them that laws had now been enacted giving effect to Her Majesty's wishes on the subject of slavery, to which it was their duty to give obedience, whilst any attempt at infraction would be rigorously punished. I concluded by informing them that what I had stated at this interview was to be taken as my answer to the Petition.

12. I believe the present Petition to have emanated, so far as concerns its main features and scope, from a few of the educated slave-holders of Cape Coast, advantage having been taken of the accidental presence of the five Kings in the town for a different purpose to obtain the use of their names and to attempt to engage them in raising an agitation on the subject of compensation, in which the promoters, even if they should have

no expectation of being successful, would yet hope to derive profit from the contributions on account of promised services which they would levy from the ignorant Chiefs of the bush. In such a process, the desire manifested in the terms of the Petition to induce in the minds of the Chiefs the belief that a promise had been at first made to them that their former slaves would not be allowed to leave them unless they were cruelly treated, and that the method of unconditional liberation, which is seen to be adopted is an innovation, becomes readily intelligible. I have now no doubt that misrepresentations as to my statement of the 3rd November were purposely made and put about immediately, or very soon after the meeting, by parties who desired to give such a colouring to the announcements as suited their own views of self-interest. These misrepresentations are reproduced and continued in this Petition.

13. I am not aware whether the archives of your Lordship's Office afford materials for forming a due appreciation of a class of natives who are found in Cape Coast and, to a small extent, in other towns on the sea board of the Gold Coast who have a smattering of education, but, being without industry or character, are incapable of following settled occupations, and who are ready to use the degree of knowledge they possess for any purpose, however mischievous, from which they can hope to reap any measure of selfish advantage. They have no real influence either with the native rulers of the Protectorate or with the population, but have occasionally in past times been able by misrepresentations and delusive promises to lead individuals or even sections of the community temporarily astray. It is to persons of this class that I attribute the attempts to cause misconception to which I have referred, as well as the authorship of the Petition.

14. The statements and answers made by the Kings and Chiefs at the interview which I have narrated were, however, most satisfactory, demonstrating as they did that, whatever might have been the endeavours to raise erroneous impressions as to what had taken place at the November meeting, the native authorities had perfectly apprehended what was stated to them, and the position which the former slaves now occupy. The fact of repeated instances throughout the country of the former slaves changing their abodes at a distance from Cape Coast without reference to their masters corroborates the view which I have already expressed to your Lordship, that the knowledge of their privileges is spreading with ample rapidity amongst the classes of the population now emancipated.

15. I would not have troubled your Lordship with this lengthy statement regarding the Petition on account of any importance which attaches to it in itself. But I have thought it right in this instance, as a typical one of many communications which are addressed to me in this Government, and which may even reach your Lordship otherwise than through my hands, that your Lordship should be thoroughly informed as to the real nature and worth of the representations which have been put forward.

16. Although it is not improbable that other attempts to raise agitation may be made of a similar or of a different nature to the present, which, notwithstanding the time which will be so occupied, it will be my duty to unravel carefully and to meet according to their real character, I have no apprehension that the scheme of emancipation will encounter any serious obstacle from such attempts. I believe, on the contrary, that the success of the scheme is now thoroughly assured.

I have, &c.

(Signed) GEO. C. STRAHAN.

P.S.—In reading over this despatch, I observe that I have omitted to mention that the mode adopted of addressing the Governor in a written petition is entirely foreign to the usages which prevail amongst the native authorities of the Protectorate. Whenever they have matters to communicate in which they feel interested and at liberty to address the Governor, they adopt the course of either attending upon him in person or by means of their trusted sword-bearers or messengers who are recognized as their representatives.

G. C. S.

Inclosure in No. 1.

Cape Coast, December 30, 1874.

To his Excellency Captain G. C. Strahan, R.A., Governor of the Gold Coast Colony, &c.,
Cape Coast.

The Petition of the Undersigned Kings and Chiefs of the Gold Coast Protectorate,

Most humbly sheweth,—

THAT your petitioners most respectfully approach your Excellency to lay before you a grievance of theirs, with a view to obtain redress therein.

On the 3rd day of November last your Excellency held a meeting of the Kings and Chiefs of the Protectorate, at which you delivered to them Her Majesty's Message on the subject of slavery and pawnholding.

1. At this meeting the said Kings and Chiefs (your petitioners among them) were told and made to understand by your Excellency that, though no more slaves were to be purchased nor pawns taken, yet no slave could leave his master or mistress without cause shown and proof of cruelty or maltreatment, and that pawns refusing to serve or work on leaving their master or mistress, the amount for which they had been given in pawn could be recovered.

2. Since the above meeting your petitioners have learned that a number of slaves have been manumitted, simply because they were no longer desirous of serving their masters, which process, your petitioners most respectfully urge, is not in accordance with what they were told and made to understand at said meeting, and it is this that has led your petitioners to address your Excellency.

3. Without dilating on the numerous evils that are likely to, and will most certainly, arise out of the method now adopted in dealing with the slave and pawn question, your petitioners respectfully solicit permission to bring under your Excellency's notice one or two of them.

4. Nearly nine-tenths of the slaves and pawns held by your petitioners and others in the country have descended to them by the laws and customs of the country, together with their landed property, palm-oil and other plantations, goods and chattels; those slaves and pawns who have not come into the hands of your petitioners and others by the laws of inheritance have been acquired from the proceeds of their labours.

5. These slaves and pawns are now, so it appears, to be emancipated without compensation being granted to their owners, who, by such a step, will become impoverished, and will be without the means of working or cultivating their plantations.

6. Such a course, your petitioners most humbly urge, will be a deathblow to the cultivation of native produce; it will throw back the commercial prosperity of the country for some years to come, and bring to a standstill the palm-oil and other trade of the Protectorate, for your petitioners will be without hands to work or cultivate as they have heretofore done their plantations. Even the common necessities of life will become scarce and hardly obtainable.

7. Your petitioners would also respectfully draw attention to the fact of there being no beasts of burden here, there being none of the facilities of civilized countries, and the absolute necessity there is to them of having their fellow men to work at present as carriers, &c., and they are certain, for more reasons than those herein stated, that the absolute and unconditional emancipation of their slaves, and the release and discharge of their pawns will create anarchy and confusion throughout the length and breadth of the Protectorate.

8. These slaves and pawns having descended to your petitioners and others as before stated, how are their plantations to be cultivated or worked if their slaves and pawns are emancipated in this manner? how are your petitioners and others to obtain the means of livelihood when deprived of the only resource they have? and how are they, when thus impoverished, when their slaves and pawns are thus liberated, how are they to obtain funds to hire and obtain the services of these slaves and pawns, who will then be free men?

9. Immense sums of money have been expended by your Petitioners and others in the purchasing of slaves—numbers of whom have been bought out of commiseration—and the taking of pawns in payment for debt and loans advanced; and the steps now taken are to deprive your Petitioners and others of the fruits of their labour, and of property that has descended to them by laws and customs, of which the Government have taken due cognizance.

10. The practice and system of buying slaves and of taking pawns has existed in the Protectorate from time immemorial, and during the two or three centuries that the British nation has ruled this country it has been recognized as a lawful institution. Within that period, Her Majesty's Court in the Protectorate have confirmed it as such, and have thus induced many a hard-working man to expend his money in the purchasing of slaves, and of the taking of pawns with a view to a profitable investment of his money in a country where there are no banks, no railway shares, or shares in any other enterprise or adventure obtainable; and thus suddenly to emancipate slaves and pawns contrary to what your Petitioners were told and made to understand at the said meeting, and without compensation, is, your Petitioners respectfully urge, virtually to impoverish the whole country, to paralyze commerce, and to bring the Protectorate to the verge of ruin.

Your Petitioners, therefore, humbly pray that your Excellency will be pleased to allow

them to retain their slaves and pawns on the conditions mentioned at said meeting; and that your Excellency may be pleased to forward their Petition for the consideration of Her Majesty the Queen, together with such additional representations as they may have to make, should it be contemplated to pass an Ordinance, or make any laws on the subject matter hereof before Her Majesty's assent thereto may be given.

And your Petitioners, as in duty bound, will ever pray, &c.

(Signed) QUASSI EDDOR, *King of Mankessim*, his ✕ mark.
 AUFOO OTTOO, *King of Abrah*, his ✕ mark.
 COFEE ACKINNEY, *King of Eccoomfee*, his ✕ mark.
 QUAMINA ESSANDOR, *King of Inkoosoocoom*, his ✕ mark.
 QUASSI TANDOR, *King of Gomoah*, his ✕ mark.
 QUASSI ATTAH, *Head Chief, Cape Coast*, his ✕ mark.

[Here follow 36 other signatures or marks.]

No. 2.

Governor Strahan to the Earl of Carnarvon.—(Received February 6.)

My Lord,

Government House, Cape Coast, January 8, 1875.

REFERRING to my despatch of the 3rd instant,* transmitting to your Lordship a document addressed to myself, having relation to the abolition of slavery and which purported to be a Petition from certain Kings and Chiefs of the Protectorate, I have now the honour to forward a Petition to Her Majesty on the same subject, which I have this day received.

2. I am unable, from want of time, to show in this instance, as in the case of the first Petition, the unauthentic character of the document which has been placed in my hands, probably on purpose, at a time when the mail is hourly expected, but, from the fact that it emanates from the same parties by whom the former Petition was produced—even the handwriting bring identical in which the names (which are not signed) are affixed to both documents, as well as from internal evidence of composition—I have no hesitation in stating that I do not consider the present Petition to be receivable in any way as an exposition of the views of the parties whom it professes to represent. It reiterates the topics of the previous Petition with some amplifications, and also contains some additional statements. I consider that in this case I should unworthily occupy your Lordship's and my own time by entering upon any analysis or commentary.

3. I take this opportunity of drawing your Lordship's attention to a Report from the Commandant of Accra, which happens to have reached me simultaneously with the Petition. As Accra is the centre of a district in which the palm oil manufacture as well as other industries have been much further developed than in the neighbourhood of Cape Coast or in any part of the Fanti country, and therefore much more liable to feel injurious consequences as regards its trade and industrial progress, if any such were resulting from the changed condition of the population, the remarks of the Accra Commandant as to what is taking place there stand in curious contrast with the forebodings of disaster which are so freely made in the Petition.

I have, &c.

(Signed) GEO. C. STRAHAN.

P.S.—Since writing the above, I may point out to your Lordship, as showing the thorough want of principle in the promoters of the Petition, that my Private Secretary has brought to my notice that in the copy sent to me for the purpose of being forwarded to your Lordship, which purports to be a transcript of the Petition sent to myself, copy of which is forwarded in my despatch of the 3rd January,* the names of forty-three persons have been added which did not appear in the original Petition.

G. C. S.

Inclosure 1 in No. 2.

Cape Coast, January 7, 1875.

To the Queen's Most Excellent Majesty in Council.

The Memorial of the Undersigned Kings, Chiefs, Headmen, Captains, and other principal men of the Gold Coast Protectorate,

Most humbly sheweth,—

1. THAT from time immemorial slavery and pawn-holding has existed in your Majesty's Protectorate on the Gold Coast.

2. That since your Majesty's Government has ruled the Protectorate the system and practice of buying and selling slaves, and of taking pawns in payment for debt, has been recognized as a lawful institution.

3. During this period, slaves who ran away from their masters without just cause, unless cruelty or maltreatment could be proved on the part of their masters, were compelled by your Majesty's Courts here to return to serve their master, or to dispose of themselves to some other persons whom such slaves preferred to serve, handing the amount so obtained by them, generally the amount originally paid by their masters for them, to their masters. If cruelty or maltreatment were proved, then the authorities manumitted such slaves. This course of action has never at any time been opposed by your Memorialists, as being in accordance with the laws and customs of the country, and as meeting fully the requirements of the case; and had the same method been in continuance, your Memorialists would not have been under the necessity of approaching your Majesty in Council.

4. A step in a diametrically opposite direction having, within the last few days, been taken by his Excellency Governor Strahan, your Memorialists are compelled most humbly to address your Majesty with a view to obtain redress therein, as their efforts here have proved most futile.

On the 3rd November last Governor Strahan convened a meeting of the Kings and Chiefs of the western districts of the Protectorate in Cape Coast Castle, at which meeting some of your Memorialists were present, for the purpose, as they then learnt, of delivering to them your Majesty's Message on the slave and pawn question, which has been considerably agitated of late.

5. At this meeting, his Excellency Governor Strahan, after refusing to allow the Kings and Chiefs then present to retire till the next day, and thereby detaining the Kings and Chiefs against their wishes and will, consented to slaves (those already bought) being held by their masters so long as the slaves were not cruelly or badly treated, and that the amount paid for or advanced on any pawn could be recovered when such pawn refused to serve or work for her master or mistress.

6. These conditions were accepted by the Kings and Chiefs present and the meeting closed.

7. To the astonishment of your Memorialists hardly a week had elapsed ere his Excellency began granting manumission papers to numbers of slaves without any cause whatsoever being shown by them other than that the slaves were desirous of leaving their masters. No proof of cruelty or maltreatment was adduced; it was sufficient that the slaves wished to leave their owners.

8. Your Memorialists thereupon petitioned Governor Strahan on the subject, drawing his Excellency's attention to some of the evils likely to arise out of such proceedings, to the conditions he had granted them at the said meeting, and to the fact of his having now ignored those terms.

To this petition the only reply your Memorialists were able to obtain from Governor Strahan was that on the 1st of January instant, his Excellency sent for such of the Kings and Chiefs as were in town to meet him at Government House; the Kings were sent for one by one.

9. The King of Abrah, because he declined saying anything in the absence of the other petitioners, was locked up by the orders of Governor Strahan in one of the rooms in Government House for upwards of an hour or two; and several others detained at Government House and not permitted to leave for some time, although they had had an interview with his Excellency, and were desirous of retiring to their several residences. These arbitrary measures were adopted by his Excellency simply because the Kings and Chiefs then present stated the truth as regards the conditions granted them at the meeting of the 3rd November, and because they informed Governor Strahan that at that meeting he had not given them to understand that slavery was absolutely and for ever abolished.

10. Had Governor Strahan informed the Kings and Chiefs that he would not listen to any terms, as it was the wish of your Majesty that slavery should be absolutely and for ever abolished, there would have been no necessity for a petition of the tenor of the one inclosed to have been addressed to him ; but, as it was, he gave your Memorialists to understand one thing while he has since acted up to another.

11. Without in any way animadverting on the conduct of his Excellency Governor Strahan at the meeting in the Castle, when he declined to give your Memorialists till the next day to deliberate over your Majesty's Message, and detained them in the Fort till they obtained the Concessions granted them, and without remarking on his imprisonment of the King of Abrah in Government House as before stated, and his detention of other Kings and Chiefs thereat, your Memorialists must most respectfully and humbly bring to your Majesty's serious notice, the conduct of Governor Strahan on each of those occasions.

13. It is not the desire of your Memorialists at the present moment to draw attention to behaviour which strikes at the root of one of the most fundamental laws of your Majesty's Kingdom, yet they feel it to be their bounden duty to bring it cursorily to your Majesty's notice, the more so as from time to time it has been their fortune or misfortune to be placed under the rule of officials who appear to have no regard to law or justice.

Your Memorialists will now proceed to lay before your most gracious Majesty their grievances.

13. By the laws and customs of the country anyone who has the means can buy slaves or take pawns. The slaves (domestic slaves so-called) on being bought by their masters, become members of their households and families ; these slaves descend to the heirs of their masters, together with the landed and other property. In the absence of direct heirs, the slaves succeed to their masters ; and numbers of people buy female slaves and take them to wife with a view to the children so begotten inheriting in preference to those had of a free woman.

14. So long as the slaves remain with their masters, the latter are bound to maintain, support, clothe, and feed them ; when they are desirous of marrying, the masters have to undergo the expense ; when sick, the masters pay for the attendance of doctors ; if the masters own plantations, the slaves have set days to work for themselves and their masters ; the slaves have their debts paid by their masters ; in short, the slaves are treated by their masters as are their maternal branch of their families who are contradistinguished from the paternal.

15. Slaves when cruelly or badly treated are entitled to their emancipation ; those deserting their masters, without just cause, must dispose of themselves to the persons they would like best to serve, and hand over the sums so obtained by them to their late masters. Slaves can obtain their freedom on paying to their masters what may be decided to be a reasonable sum ; and when they become heirs to their masters the descent runs in the same manner. All other laws and customs regarding slaves are of but a secondary nature, such as the liability of the masters for their funeral expenses, &c. Pawns, on the other hand, can leave their owners as soon as they are in a position to redeem themselves ; they may have a few additional items of expense to pay, and a small sum for each child that they may have in their owners' houses when leaving. At times when the moneys advanced on pawns, when of the feminine gender, are turned into dowry money by the owners marrying such pawns themselves, when the pawn ceases to be such.

15. Instances of cruelty and maltreatment are exceedingly rare, hardly on the average, among so large community of slave and pawning holding people, of twenty or fifty during the year.

16. Years at times elapse without a single instance of cruelty or maltreatment being clearly established or brought forward, for the simple reason that the owners of slaves and pawns know that such conduct will cost them the moneys so paid for such pawns and slaves besides something else in the shape of fine or imprisonment ; and this has been hitherto, and will continue to be, a sufficient guarantee for the protection of slaves and pawns. Therefore, your Memorialists considered it to be no hardship of an excessive nature for them to consent (wrung out of them as it was) to the conditions granted to them by Governor Strahan on the 3rd November last, to which they now regret to find he had no intention of adhering.

17. In the first place, before bringing to your Majesty's notice some of the evils the measures that Governor Strahan has adopted are likely to create, your Memorialists must be permitted most humbly to state that they cannot accept the view that the late war was a war of their own. The British forces fought more to uphold and maintain the dignity of the British Empire than in defence of the people of the Gold Coast, whom your

Majesty has been pleased to take under your Majesty's gracious protection. Your Memorialists, nevertheless, have the highest sense of gratitude and loyalty towards your Majesty for the deep interest and concern that it has pleased you to evince towards them in saving them from the hands of a cruel and sanguinary foe.

18. Large sums of money are, and have been, annually expended in the buying, support, and maintenance of slaves from time immemorial up to the date of the promulgation of Governor Strahan's Proclamation of the 17th November last; as large sums have been spent in the taking of pawns; and these sums of money were the proceeds of earnings hardly obtained. Now Governor Strahan informs your Memorialists, directly contrary to the concessions he granted them, that slavery is for ever abolished, and that the immense sums of money expended by the ancestors of your Memorialists and by themselves are to be lost for ever, without any compensation or return from the slaves in any shape, degree, or form, although the value of their slaves alone, leaving aside the pawns, would more than double the amount expended by your Majesty's Government during the recent campaign.

19. The upshot of this measure is that the krooms, villages, and plantations of your Memorialists are now being deserted; pawns as well as slaves are leaving them in consequence of Governor Strahan's Proclamation; the pawns contending, rightly or wrongly, that if slaves who can succeed to their master's property are emancipated, they see no reason why they should not in like manner be discharged. The result will be that, in the course of a few weeks, the palm oil and other produce trade of the country will be at a standstill; no hands will be available to work the palm oil and other plantations; many a poor man and woman will be deprived of his or her means of support, and left to die of starvation in the interior; to make away with his or her life, as has already occurred; or to commit some deed of violence. The slaves themselves will infest the highways and render travelling in the interior parts of the country, where the police do not penetrate, highly dangerous; deeds of robbery and violence will be of every day occurrence; and the possibility of a collision between the emancipated slaves, who will be attempting such deeds, and their masters become exceedingly imminent. These are evils of a secondary class; the commercial prosperity of the country stands first and foremost.

20. Since Governor Strahan commenced giving manumission papers to any slaves who chose to apply for them, numbers of slaves and pawns who belong to the Ashantees who came down here to trade, have been seized by the authorities here, and set free. These men, women, and boys were sent and brought down as carriers, to take back the goods that their masters would purchase here to Ashantee, in the absence of railways, trains, tramways, canals, and the thousand and one other facilities obtainable in civilized countries. These people being seized upon, how are the Ashantee traders to carry away the goods purchased by them? And is this an inducement to other Ashantees to come down here to traffic? This will be a deathblow to the trade of the Protectorate with Ashantee, paralyze the commerce thereof, and ere long bring about another invasion of the country by the Ashantees, who, rather than submit to any such measures, will stake all on the cost of a die. These people, who are brought down by traders from the interior, are either slaves or pawns, and such a line of policy, where the Government cannot control the internal polity and economy of Ashantee and its dependencies, will surely prevent any Chief or trader coming near the Protectorate with his people, for the purposes of trade, and this is the outspoken intention of the Ashantees now in town; irrespective of which it will be worth considering the effect this measure will have on the revenue of the Protectorate, when legitimate commerce will have received so severe a check. Our proprietary rights in our slaves, and pawns as well, have been completely set aside by Governor Strahan's course of action, which is not at all in conformity with the compromise he guaranteed or granted us; and whilst knowing the abhorrence your Majesty and the British nation have for slavery in any shape, degree, or form, your Memorialists feel convinced that your Majesty in Council will not, after the conditions granted by your Majesty's Representative, abolish at once and for ever a custom of immemorial prescription, wound up and interwoven as it is with all the habits, laws, customs, and usages of their society, when such evils may and will readily flow from such a hasty measure.

21. The emancipation of slaves, in the manner now proclaimed by Governor Strahan, leaves the slave-holding population impoverished; they are deprived of the services of their slaves, without means being placed at their command to hire and obtain the services of free men. The slaves themselves have no landed property; they have no village or kroom to which they can claim a right to reside in. Governor Strahan's line of action, whatever the Proclamation may say to the contrary, is an invitation to slaves to leave their masters; and, as such, it has been accepted and is acted upon, and will undoubtedly precipitate a complete breaking up of native society, and bring about the entire collapse of

trade. Families, households, krooms, villages, and towns, are now being broken up, and the effect that this step will have on the country in the course of a few months, commercially and socially, will be something fearful to contemplate.

22. In the face of the concessions granted by Governor Strahan, if it is proposed to entirely abolish slavery on the Gold Coast, your Memorialists would most respectfully and humbly urge their claims to compensation at your Majesty's hands for the breaking up of their homes and families, krooms, villages and towns, the loss of the services of their slaves and pawns, their plantations, which will become and are being ruined for the want of hands to cultivate them, and the immense sums expended by them in the purchase, support, and maintenance of those slaves, whom they bought and retained under the cognizance of your Majesty's authorities here who had recognized the institution as a lawful one.

Your Memorialists would also call attention to the fact that, although the Proclamation issued by Governor Strahan bears date the 17th December last, yet it was not promulgated in Cape Coast till the 30th day of December, the day on which your Memorialists forwarded the said Petition to his Excellency; the first intimation they had of the existence thereof was after they had sent in to Governor Strahan the said Petition, when they learnt that a Proclamation in reference to the slave and pawn question was being placarded about town. Whether any information had reached his Excellency previous to the Petition being presented to him, that your Memorialists were about forwarding a Petition or not on the subject-matter of the Proclamation that led to its publication, after it had been about two weeks in readiness, your Memorialists cannot say; but they would most humbly draw your Majesty's attention thereto.

23. Your Memorialists, therefore, pray that your most gracious Majesty in Council may be pleased to order the Proclamation bearing date the 17th December, 1874, issued by Governor Strahan, on the slave and pawn question, to be annulled and cancelled; and the Ordinances of the 17th December, 1874, repealed, in so far as neither of them are in the terms of the conditions granted them by Governor Strahan on the 3rd November last; and that an Ordinance, containing the terms and provisions as conceded to, and obtained by them on the 3rd November, 1874, be issued and passed; and that all slaves who have since obtained their emancipation, contrary to the terms and conditions so granted, your Memorialists, on the said 3rd November, 1874, be ordered to return to their masters, and to the villages, krooms, and towns they have deserted, unless they can prove cruelty or maltreatment; or, in case your Majesty should be pleased to give your gracious assent and allowance to the said Ordinances, that your Majesty will graciously order that compensation be granted and paid your Memorialists for the loss of the value of their slaves and pawns, the deprivation of their services, the ruin of their plantations, and the breaking up of their homes and families, krooms, towns, and villages, and for the absolute and unconditional emancipation of their slaves, and the release and discharge of their pawns; and your Memorialists, as in duty bound, will ever pray.

[Here follow 86 signatures and marks.]

Inclosure 2 in No. 2.

Petition to his Excellency Governor Strahan, dated December 30, 1874.

[Same as Inclosure in No. 1.]

Inclosure 3 in No. 2.

Sir,

Accra, January 2, 1875.

I HAVE the honour to report, for his Excellency's information, that quietness, good order, and a spirit of obedience to the laws and to the orders of the Government prevail throughout this district.

With reference to the recent abolition of slavery on the Gold Coast, and to the working of the scheme of emancipation, enunciated by his Excellency, it may not be out of place to make a few short remarks, which, I may observe, are not based upon conjecture or forecast, but are founded upon actual observation and experience.

1. Touching the peace and quietness of the country, I have to report that the present can favourably compare with any other period preceding the abolition.
2. That trade and industry have in no way been inimically influenced.
3. That the natives do not appear to be anxious as to the present, or uncertain or desponding as to the future.

4. That, as far as Accra is concerned, houses are being erected by the natives, and new native stores are being opened.

5. That no ties have been sundered save those that from their repugnancy to the servitor were a blight on his energies, of little value to the served, absolutely baneful in their influence on the community at large, and prejudicial to the moral and material progress of the country.

Lastly, to use his Excellency's own words retrospectively, no household has been ruined, no family has been broken up.

Trusting that his Excellency will not deem it amiss in my thus recording my experience of the working up to the present of the recent abolition of slavery.

I have, &c.

(Signed)

V. SKIPTON GOULDSBURY,

Acting Civil Commandant, Accra.

The Hon. the Colonial Secretary,
Cape Coast.

No. 3.

Governor Strahan to the Earl of Carnarvon.—(Received February 6.)

My Lord,

Government House, Cape Coast, January 8, 1875.

WITH reference to my despatches of the 3rd January and of the 8th January,* I have the honour to forward to your Lordship the accompanying document just received which is of a similar character to the inclosures of the despatches above quoted.

2. I may add that the persons whose names purport to be appended to this Petition are entirely unknown to me.

I have, &c.

(Signed)

GEO. C. STRAHAN.

Inclosure in No. 3.

Cape Coast, January 7, 1875.

To the Queen's Most Excellent Majesty in Council.

The humble Petition of the Undersigned ladies of the Gold Coast Protectorate,

Most respectfully sheweth,

THAT on the 3rd day of November last, his Excellency Governor Strahan convened a meeting in the Castle here, of the Kings and Chiefs of the western districts of the Protectorate.

At this meeting, after his Excellency had delivered to the said Kings and Chiefs your Majesty's message on the slave and pawn question, his Excellency informed the Kings and Chiefs that, although no more slaves were to be purchased or sold and no more pawns to be taken in payment for debt, yet no slave could leave his master or mistress unless there was proof of cruelty or maltreatment, when such slave would be entitled to his or her freedom, and that the amount for which any person was pawned could be recovered on such person refusing to serve. These conditions were granted the said Kings and Chiefs without their having the opportunity of coming into town and ascertaining the views of the community on this subject for the purpose of submitting same for your Majesty's consideration.

To the no small surprise of your Petitioners, they now find and learn that his Excellency Governor Strahan has since been emancipating a number of their slaves on their application to be set free without any inquiry into the cause of such application, so long as the slaves declared that they would no longer serve their masters.

To your Petitioners this policy of Governor Strahan's is an excessive hardship. The whole of your Majesty's Petitioners more or less hold slaves and have pawns, whom they have bought with the fruits of their labours. This measure will be to deprive your Petitioners of the services of such slaves and pawns, and reduce them to a state of poverty.

Free labour is hardly obtainable on the Gold Coast, and generations must pass away ere such a market can be created and established here; therefore, to divest the slave and

* Nos. 1 and 2.

pawn-holding community of their proprietary rights in their slaves and pawns, will be to create such a disruption of family and household ties, to bring about such a stagnation of trade, to put such a sudden stoppage to the cultivation of palm oil and other plantations, as well as to other agricultural pursuits, besides breaking up krooms and villages, as will be awful to contemplate, even if matters assume no worse a feature.

Your petitioners bought these slaves with the view of making them, as they are, members of their households and families. There is no distinction worth speaking of between such slaves and the members of those families to which they belong. It is true that the menial services of the households fall to them as the share of the duties allotted to them as members of such families, but that is no greater hardship than such as servants in civilized countries have to undergo. In return for such services the slaves are maintained, supported, fed, and clothed by their masters, their debts are paid for them, and they have innumerable other advantages as fall not to the lot of menials in other more favoured countries.

The system and practice dates from time immemorial, and for Governor Strahan to endeavour thus suddenly and unconditionally to seek to abolish it for ever will, your petitioners fear, create complications as yet unforeseen. The injury, your petitioners would respectfully submit, the grievous wrong thus done to the whole community of the Gold Coast Protectorate by Governor Strahan in the face of the conditions granted by him to the Kings and Chiefs on the 3rd November last, and in direct opposition to the terms then mentioned, if not speedily remedied will make itself felt here both commercially and politically, as well as socially. It will in a measure cause pawns also to seek for their release and discharge as unconditionally as the slaves have obtained their freedom, as they have not the same advantages and privileges as have the slaves. They will refuse any longer to serve; and as the majority of them have pawned themselves or have been pawned for debts of their own, the pawnholders will have the satisfaction only of imprisoning and maintaining them whilst incarcerated, which is but poor satisfaction, and which will be but sinking more money in vain efforts to recover the original sum. This will be the case particularly with your petitioners, who will now have to perform the menial duties of their households themselves, since they all have not the means to hire and obtain the services of freed men or women, and numbers of them are entirely dependent on the services of their slaves and pawns, and have no other source of income excepting by and through such slaves and pawns.

Your Petitioners, therefore, having heard that the said Kings and Chiefs have in vain petitioned his Excellency Governor Strahan on the subject-matter hereof, and having learnt that the Kings and Chiefs of the Protectorate are about memorialising your Majesty thereon, feel it to be a duty owing to themselves and the community of which they form no mean a part, to petition your Majesty in support of the said Memorial, in the contents of which they heartily concur.

Wherefore your Petitioners most humbly pray that your Majesty in Council will be graciously pleased to order that the Proclamation issued by Governor Strahan on the slave and pawn question, bearing date the 17th December, 1874, be annulled and cancelled, and the Ordinances bearing same date be repealed in so far as neither of them is in the terms of the conditions granted by Governor Strahan to the said Kings and Chiefs on the 3rd November last; and that an Ordinance containing the terms and provisions as conceded to the said Kings and Chiefs be issued and passed, and that all slaves who have since obtained their freedom contrary to the terms and conditions so granted to the Kings and Chiefs on the 3rd day of November, be ordered to return to their masters, and to the villages, krooms, and towns which they have deserted, unless they can prove cruelty or maltreatment; or, in case your Majesty should be pleased to give your gracious assent and allowance to the said Ordinances, that your Majesty will graciously order that compensation be granted and paid your Petitioners for the loss of the value of their slaves and pawns, the deprivation of their services, the ruin of their plantations, and the breaking up of their homes and families, krooms, towns, and villages, and for the absolute and unconditional emancipation of their slaves, and the release and discharge of their pawns, and your Petitioners as in duty bound will ever pray.

[Here follow 2 signatures and 17 marks apparently by the same hand.]

The Earl of Carnarvon to Governor Strahan.

Sir,

Downing Street, February 19, 1875.

I HAVE the honour to acknowledge the receipt of your despatches of the 3rd January and of the 8th of the same month,* transmitting and commenting upon certain petitions purporting to be signed, or, in most cases, to be certified by the marks of Kings, Chiefs, Headmen, ladies, and others within the Gold Coast Protectorate, in which it is urged that the steps taken by you, in pursuance of the statement which you made on the 3rd of November, in last year, to the assembled Kings and Chiefs, should be annulled, and that the holders of slaves and pawns should be permitted to retain them unless upon proof of cruelty or maltreatment; or, in the event of this request not being acceded to, that compensation should be paid to the petitioners for the losses which they allege that they have sustained, or will sustain, through the operation of the Ordinances against which they appeal.

I did not fail at once to observe that the composition and language of these petitions, which are drawn with a great command of English, are in remarkable contrast to those which the persons purporting to be the petitioners are themselves in the habit of using when endeavouring to give expression to protests of this nature, and I cannot doubt that you are right in attributing these documents to some one or more of the educated Fantees, who have on previous occasions advocated their views on Colonial and other subjects in a similar manner.

I am led to this conclusion, in the first place, by the very clear and explicit manner in which you repeat the account originally given by you of your statement respecting the abolition of slavery, and in which you assure me that this account is corroborated by the unequivocal concurrence of those Kings and Chiefs whom you were able again to convene on the receipt of the petitions. I should, moreover, be forgetful of some important passages in the recent history of the Gold Coast if I did not bear in mind that on previous occasions (as, for example, in the case of the well-known scheme for a Fantee Confederation) some of the better educated natives have undertaken, without any sufficient authority, to make proposals and representations, equally well expressed with the present, which could be seriously entertained only if they emanated directly from the Kings and other persons in authority.

I also observe that there is a remarkable similarity between the incorrect report which was recently sent home to this country in Reuter's telegrams of your statement of the 3rd November respecting the abolition of slavery, and the corresponding passages (in the 1st and 5th paragraphs respectively) of the petitions now under reference.

It would appear not improbable that the report to which I have alluded as embodied in the telegrams may have come from the same source as the petitions; and the knowledge that a particular account had been published in England would not unnaturally suggest the expediency of basing any claims for consideration or compensation upon the statement that a similar understanding had been come to by the Memorialists.

I need not, however, further pursue this part of the subject, because, as I have already intimated, it is with the Kings and Chiefs, not with irresponsible natives, however clever or well educated, that Her Majesty's Government must deal; and I cannot hesitate to accept unreservedly your confident statements (which, from the first, have been thoroughly consistent and unwavering) of the manner in which your declarations have been received and understood by the recognized authorities in the Protectorate.

The reply which it is my duty to advise the Queen that you should be directed to give to the petitioners (if, indeed, there are any persons of importance remaining, after the explanations and repudiations which I have received, to whom a formal reply ought to be given) is a very simple one. It is that, having instructed you by the command of Her Majesty, and as I am persuaded with the universal concurrence of the people of this country, to take prompt steps for the eradication of a shameful institution from the Protectorate, this Government cannot for a moment listen to any arguments in favour of compromise or further delay.

In their personal relations with you the Kings and Chiefs appear to have throughout shown a proper sense of the very great benefits conferred upon them by the Queen in the rescue of their country from invasion, and themselves from slavery and death. And I at once absolve them from any conscious participation in so ill-advised and unworthy a sentiment as that contained in the 17th paragraph of the Petition to the Queen, in which they are made to say that "the late war was not a war of their own, and that the British

* Nos. 1, 2, and 3.

forces fought more to uphold and maintain the dignity of the British Empire than in defence of the people of the Gold Coast."

Those words will at once be generally repudiated, but they unfortunately represent too correctly that lamentable want of patriotism and public morality which have in times past characterized too many of the Gold Coast natives, and have rendered it so difficult either to govern or to defend the Fantees.

You will cause it to be known that the Queen has received the Petition addressed to Her Majesty with pain and surprise; that Her Majesty again commands you to advance steadily and firmly, but with all due consideration for any special circumstances, in the course upon which you have entered; and that she relies confidently upon the good feeling of the Kings and Chiefs, of which renewed evidence has been given at your late interview with them, and upon their cheerful consent on behalf of their people to such sacrifices as may be involved in the liberation of as many slaves and pawns as do not desire to remain in their present service.

It may not, perhaps, be superfluous to observe that in the same Petition in which great grievances are alleged and compensation is asked for, there is a long argument to prove that the condition of the slaves is excellent, that they receive every care and attention, and that instances of cruelty are exceedingly rare. On this I have only to observe that, if the statement is to be believed, I do not perceive the ground for the fear of any sudden interruption in the existing relations between master and slave.

It rests, in fact, with those who have hitherto kept persons in compulsory bondage to substitute for it that voluntary compact which alone can be permitted, and which the Petition shows that they can make acceptable to those dependent upon them.

The only other point to which I think it necessary to refer is the suggestion that compensation should be granted to the petitioners for the loss of their slaves and pawns. In your statement of the 3rd November you pointed out to the Kings and Chiefs that the Queen had, without assistance from the inhabitants of the Protectorate, and at a very great expenditure of life and money, delivered them from defeat and misery, that her object was not the repayment of any part of the money which had been expended, but that the return expected was obedience to the Queen's desire that slavery should be abolished. You will now inform the petitioners, in the same spirit, that in all that has been done for them they will find more than the equivalent of such sacrifices as some of them may now be called upon to make, and that it is difficult for the Queen to entertain seriously a request for money compensation from slaveholders who, but for her generous and prompt interference, would now be either dead or themselves subjected to a most cruel slavery.

In conclusion, I have only to observe that while I receive with confidence your continued assurances of the success of the steps already taken by you, I do not forget, as I am aware that you do not, that much remains to be done before the institution which it has been determined to abolish can be effectively replaced by other and better provisions for the cultivation of the soil, the interchange of trade, and the general improvement of the native races within the Protectorate.

I propose shortly to address to you some remarks on what appears to me to be the course generally most desirable for this end, and I shall probably learn before long what are your views on this portion of the subject.

I have, &c.
(Signed) CARNARVON.

GOLD COAST.

FURTHER CORRESPONDENCE relating to the
Abolition of Slavery on the Gold Coast.

(In continuation of C. J. 139 of 1875.)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. February 9, 1875*

LONDON:

PRINTED BY HARRISON AND SONS.

CORRESPONDENCE

RELATING TO

GRIQUA-LAND WEST.

(In continuation of Papers presented to Parliament by Command of Her Majesty,
March 1873 [C. 732]).



Presented to both Houses of Parliament by Command of Her Majesty.
August 6, 1875.

LONDON:
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1876.

[C.—1348.] *Price 3d.*

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Correspondence relating to Griqua-Land West.

(In continuation of Papers presented to Parliament by Command of Her Majesty,
March 1873 [C. 732]).

No. 1.

*Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received
October 2.)*

(Extract.)

Government House, Cape Town, August 31, 1874.

IN the correspondence between the Lieutenant-Governor of Griqua-Land West and myself, relative to the issue of titles to land, forwarded in my despatch of this date, reference is made to the Resolutions unanimously passed by the Legislative Council of that Province on the 3rd June last, by which it was declared that all proper offers having been made by Her Majesty's High Commissioner to the Government of the Orange Free State, with a view to the settlement of boundaries by arbitrators, no further delay in issuing such titles ought to take place.

Your Lordship may, in consequence, desire to learn the present state of my negotiations with President Brand as to arbitration, and I regret to have to report that no progress whatever has been made since I wrote to Lord Kimberley on the subject, at the commencement of this year.

I then mentioned that his Honour having sent for my approval a draft deed of submission, in which, after setting forth the case of the Orange Free State, he had gone on to set forth also that of the British Government, in his own language. I had returned an amended draft in which his statement of his own case being first copied, that of the British Government, as drawn up by Mr. Shippard, Acting Attorney-General of Griqua-Land West, was thereafter inserted.

I did not transmit copy of the draft deed thus amended, because I thought it probable that further modifications, to which it would be possible for me to assent, might still be proposed. I do so now, however, in order to facilitate the comprehension of what follows, and to convince your Lordship that it is on no narrow or one-sided basis, that I have felt it my duty, at length, to make a stand.

In a letter of 23 pages, which I received from Mr. Brand on the 14th March, in reply to mine of the 14th January, he admitted that he had anticipated my rejection "of his short *pro formâ* statement of the case of Her Britannic Majesty's Government," but demurred to several points in that which I had substituted, proceeding without assigning any reason, to propose some alterations in his own case, together with the transposition of several of the clauses of the deed, and strongly objecting to the specific provisions I had thought it essential to introduce for regulating the manner of proceeding of the arbitrators.

Aware that I was dealing with a skilful lawyer, I thought it advisable again to consult the Attorney-General of Griqua-Land West, through the Lieutenant-Governor, before answering, and, finding that they both concurred with me that the re-arrangement of clauses and other changes proposed by Mr. Brand, were designed to reverse the proper order of things by rendering it necessary for us to prove that the land did not belong to the Orange Free State, instead of leaving the burden of proof that they had lawfully acquired it from Waterboer, on them, I replied on the 25th April, declining to accede to his Honour's suggestions, and winding up by stating that I was prepared to abide by the amended draft, as nothing could be fairer than the course I had adopted of taking the case of the Free State as set forth by himself, and simply putting that of Her Majesty's Government in opposition to it.

It was at this stage of the proceedings that the Legislative Council of Griqua-Land West passed the Resolutions already alluded to, and herewith again transmitted for facility of reference.

On the 29th May, President Brand wrote a rejoinder to my letter, occupying 33 closely written pages, in which he recapitulated the history of the negotiations for arbitration ever since their first commencement between his Government and Captain Waterboer in 1864, and ended by reiterating all his proposals for alteration, together with his refusals to let the sittings of the arbitrators be held anywhere in Griqua-Land West; to agree to their being bound to follow the rules of evidence of the English Law Courts, or to refer any question as to their mode of procedure to the Chief Justice of the Supreme Court of Natal.

Such questions, he contends, could be settled "by the distinguished person of ability residing in Europe," who is to be named umpire by the foreign Ambassador selected, disregarding, apparently, the inconvenience and expense of spending three or four months in a reference of every petty point as to which disputes may arise.

I trust your Lordship will approve of my having, under these circumstances, intimated my inability to depart from the terms of the amended draft deed returned to His Honour on the 14th January last, but at the same time my readiness at once to nominate three arbitrators, as therein provided for, to represent the claims derived from Captain Waterboer, and to select the foreign Ambassador by whom the umpire is to be appointed, directly I hear that His Honour is willing to abide by such decision as may be come to.

I will only, in conclusion, add that the correspondence being so very voluminous, I have, out of regard both to your Lordship's time and the labour of my clerks, deemed it sufficient to transmit copies of Mr. Brand's first and my last letter, omitting (unless they should be specially called for) the intermediate letters exchanged, however much to the detriment of my own arguments.

Inclosure 1 in No. 1.

Agreement made this day of , in the year of our Lord 1870, between His Excellency Sir Henry Barkly, Knight Commander of the Most Honourable Order of the Bath, and Her Britannic Majesty's High Commissioner, acting for and on behalf of the Government of Her Britannic Majesty, of the one part; and His Honour Johannes Hendrikus Brand, President of the Orange Free State, acting for and on behalf of the Government of the said State, of the other part.

1. WHEREAS certain disputes and differences have arisen and are depending, between the Government of Her Britannic Majesty and the Government of the Orange Free State, respecting:

(1.) The right and title of the Chief Nicholas Waterboer (son and successor of the Chief Andries Waterboer) and the Griqua people of Griqua-Land West to certain lands part and parcel of the territory ceded by him and them the said Chief and people, to Her Britannic Majesty, and proclaimed British territory on the 27th day of October, 1871, and now in possession of Her Majesty's Government:

(2.) The boundaries claimed by the said Chief Nicholas Waterboer and the Griqua people as the boundaries of the territory belonging to them, the said Chief and people, and proclaimed British territory on the 27th day of October, 1871, as aforesaid.

(3.) The true position of certain three points named by his Excellency Sir Henry Barkly, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander-in-chief of Her Majesty's Colony of the Cape of Good Hope and of the Territories and Dependencies thereof, and Governor of the Province of Griqua-Land West, in his Proclamation No. 67, dated the 27th day of October, 1871, wherein by means of the said three points are defined the boundaries which divide the Province of Griqua-Land West from the territory of the Orange Free State, to wit, Ramah, David's Grave, and the summit of the Platberg.

2. And whereas in respect of the said disputes and differences negotiations are pending for their settlement by arbitration.

3. And whereas the Government of the Orange Free State maintains that heretofore, to wit, on the 3rd day of February, in the year of our Lord 1848, Her Britannic Majesty's sovereignty was proclaimed over the territory situated between the Orange River, the Vaal River, and the Drakensberg, and the inhabitants thereof, by Her

Majesty's High Commissioner Sir Henry George Wakelyn Smith, K.C.B., &c., &c., and designated the Orange River Sovereignty.

4. And that Her Majesty's Government did from the before-mentioned 3rd day of February, 1848, until the date of the abandonment of the said Sovereignty on the 23rd day of February, 1854, exercise authority over the said territory situated as hereinbefore described between the Orange River, the Vaal River, and the Drakensberg, and did grant titles to land within the limits of the same.

5. And that Her Majesty's Government did on the 23rd day of February, 1854, abandon the sovereignty over the said territory, and did on that day by a Convention entered into between Sir George Russell Clerk, K.C.B., a Commissioner specially appointed by Her Majesty's Government, and the Deputies appointed by the inhabitants, transfer and make over the Government of the said territory to the Deputies delegated by the inhabitants to receive it.

6. And the said inhabitants, to whose Deputies the said territory was so formally transferred, did establish the Government since known and recognized as the Orange Free State.

7. And that the said Government of the Orange Free State, acting in accordance with the principles of equity and justice, did, with respect to natives residing within the limits of the territory transferred to the said Government in the manner hereinbefore mentioned, recognize certain rights which said natives claimed to possess to lands situated within the limits of the said territory, which the said Government were not legally obliged to recognize, yet, for the sake of peace, were disposed in the case of Captain N. Waterboer to admit to the extent of a tract of land now known as Albania, bounded by the Orange River, the Vaal River, the line from Ramah to David's Grave, intersected by the Vetberg line, with the exception of portions of three farms through which the said Vetberg line passed, and for which titles had been granted by Her Britannic Majesty's Government during the period in which Her Majesty's sovereignty was exercised over the said territory, and which the said Government of the Orange Free State had covenanted and undertaken to respect and guarantee by the Convention of the 23rd day of February before-mentioned, due notice being given to Her Majesty's then High Commissioner Sir George Grey, K.C.B., of the disposition on the part of the Government of the Orange Free State in this respect, which was duly acknowledged and acquiesced in by the said High Commissioner.

8. And that another native Chief named Cornelius Kok, of Campbell, whose independence was distinctly and unequivocally recognized by Her Majesty's Government as far back as the year 1848, through the then High Commissioner, the before-mentioned Sir Henry George Wakelyn Smith, K.C.B., likewise laid claim to grounds situated within the said territory, which the Government in like manner, as in the case of Captain N. Waterboer, was not bound to recognize, yet did in so far as to allow the said Chief Cornelius Kok, of Campbell, and his subjects, with his sanction, to dispose of the said land, to which claim was laid, to persons who received titles to such lands from the Government of the Orange Free State, in like manner as titles had been granted by Her Majesty's Government of other grounds likewise situated within the boundaries of the land which was so claimed by the aforesaid Chief Cornelius Kok, of Campbell, as situated in the district of Bloemfontein, one of the districts of the Orange River Sovereignty, and which last-mentioned titles so granted by Her Majesty's Government, the Government of the Orange Free State were obliged to, and did recognize and guarantee in terms of the Convention of the 23rd of February, 1854, aforesaid.

9. And that the said Government of the Orange Free State has and did since the date of the said Convention of the 23rd of February, 1854, exercise sovereign rule, authority, and jurisdiction over the whole of the territory transferred and made over by the said Convention, with the exclusion, however, of the ground which had been, previous to the abandonment of Her Majesty's sovereignty, assigned by Her Majesty's Government to the Basuto Chief Moshesh and Captain Adam Kok, the limits of which were subsequently altered and determined by conquest, agreement, or cession, with the exception of the hereinbefore described portion known as Albania, and situated between the Orange River, the Vaal River, and the line between Ramah and David's Grave, intersected by the Vetberg line, over which the said Government of the Orange Free State permitted the before-mentioned Captain Nicholas Waterboer to exercise rule and authority; excluding, however, from such rule and authority the portion of the three farms to which British titles had been granted, through which the said Vetberg line passed.

10. And that the said Government of the Orange Free State did, on the 26th day

of December, 1861, enter into a certain agreement of purchase and sale with Captain Adam Kok, hereinbefore mentioned, the Chief of the Griqua people at and about Philippolis, for the purchase by the Orange Free State, from the said Adam Kok, as Chief of the Griquas of Philippolis, and successor to Captain Cornelius Kok of Campbell, of certain lands, and claims to certain lands, as in the said agreement and in other documents connected therewith specified and described.

11. And whereas the Government of the Orange Free State further maintains that, amongst the lands so purchased by the said State, and to which it is rightfully entitled, are certain lands, commonly called the Campbell Lands, and also certain other lands lying to the north side of the Vaal River, and being lands alleged to have belonged to the said Adam Kok next before the sale by him, as aforesaid, to the Orange Free State.

12. And that the said Government of the Orange Free State did give notice by Proclamation, and notices which were published from time to time in the "Government Gazette" of the said State, of the purchase of the said lands before-mentioned; and finally, to wit, on the 29th day of August, 1870, after having heard and considered the claim set up by Captain Nicholas Waterboer to the said lands, did proclaim the boundary lines of the said Campbell Lands situated to the north of the Vaal River.

13. And whereas the Government of the Orange Free State further maintains that Her Majesty's High Commissioner, Sir Henry Barkly, K.C.B., did subsequently in the name and on behalf of Her Britannic Majesty's Government aforesaid, take forcible possession of the said territory; and the said Government of the Orange Free State did thereupon, under protest, withdraw the authority which they had undisturbedly exercised over the said territory so situated to the south of the Vaal River, from the date upon which the government of the territory was transferred and made over to it by the Convention of the 23rd of February, 1854, before mentioned.

14. And whereas Her Britannic Majesty's Government denies all and singular every allegation of fact and conclusion of law by the Government of the Orange Free State maintained in respect of the premises.

15. And whereas Her Majesty's Government further maintains that on the 3rd day of February, in the year of our Lord 1848, the sovereignty of Her Britannic Majesty was not proclaimed over all the territory situated between the Orange River, the Vaal River, and the Drakensberg and the inhabitants thereof (β); and that the whole of the said territory was not then proclaimed to be British territory (γ); but that the rights of the paramount Chief Waterboer and of the Griqua people over a certain portion of the said territory were then and thereafter left intact (δ); and that the Convention of the 23rd day of February, 1854, whereby the independence of the Orange River Territory was guaranteed by Her Majesty's Government, only transferred to certain representatives delegated by certain inhabitants of European extraction the sovereignty over that portion of the territory in the possession and occupation of the people by whom they had been delegated (ϵ); and that the said Government of the Orange River Territory (thereafter called the Orange Free State) did thereupon and thereafter, as in duty bound, recognize the independent rights of sovereignty and territorial jurisdiction enjoyed by various native Chiefs, tribes, and people inhabiting extensive tracts and portions of the territory over which Her Majesty's sovereignty had been proclaimed by his Excellency Sir Henry George Wakelyn Smith, K.C.B., on the 3rd day of February, 1848, which tribes and people had, by the withdrawal of Her Majesty's sovereignty, reverted to the same wholly independent state and position which they had occupied prior to that date, to wit, the Basuto tribe, the Baralongs, the Griquas, and several minor tribes or portions of tribes.

16. And whereas Her Majesty's Government further maintains that the sovereignty of the Orange River Territory, as proclaimed by his Excellency Sir Henry George Wakelyn Smith, K.C.B., did not include any portion of the territory of the Chief Andries Waterboer, the boundary whereof had been defined previously, to wit, in or about the year 1838, by Treaty between the said Chief Andries Waterboer and one Adam Kok, son of Adam Kok, commonly called Dam Kok of Philippolis; and also that no legal or valid titles to land within the limits of the territory of the said Chief [*sic*] Waterboer were or could have been granted by Her Majesty's Government, or by any person acting or professing to act under authority from Her Majesty's Government, between the third day of February, 1848, and the 23rd day of February, 1854, aforesaid, or at any other time.

17. And whereas Her Majesty's Government further maintain that in or about the year 1820 (α) Andries Waterboer was elected paramount Chief of the Griqua people; and also that in or about the year 1822 (β), the said election of Andries

Waterboer, as paramount Chief of the Griqua people invested with independent sovereign authority throughout Griqua-Land, was recognized and approved by the Government of Her Majesty's Colony of the Cape of Good Hope.

(γ) And also that in or about the year 1824, the said paramount Chief Andries Waterboer invested one Cornelius Kok with authority to preserve order in a certain portion of the said territory of Griqua-Land, subject always to the supreme power and sovereignty of the said Andries Waterboer.

(δ) And also that the said Andries Waterboer actually exercised independent sovereign power over the whole of the Griqua people and of Griqualand, excepting only a few adherents of the aforesaid Adam Kok, commonly called Dam Kok, settled in what was known as East Griqua-Land.

(ε) And also that in or about the year 1825 the said Andries Waterboer acquired by lawful conquest certain lands theretofore in the possession of one Sivonella, a minor chief of the Baralong tribe, which said lands included the mission station of Platberg.

(ζ) And also that one Mothibi and his son Jantje, minor chiefs and refugees, sought the protection of the said Andries Waterboer and settled as his subjects in the neighbourhood of Likatlong on the banks of the Vaal river.

(η) And also that by Treaty, dated the 11th day of December, 1834, between his Excellency Sir Benjamin D'Urban, Governor of the Colony of the Cape of Good Hope on the one part, and the said Andries Waterboer on the other part, the Government of Her Britannic Majesty recognized the said Andries Waterboer as Chief of the Griquas.

18. And Her Majesty's Government further maintains that in or about the year 1838 the said paramount Chief Andries Waterboer and Adam Kok (son of the aforesaid Adam Kok, commonly called Dam Kok) made and entered into a Treaty and agreement whereby the said Adam Kok was secured in the peaceable possession of certain lands, and thereby the said lands were divided from the territory of the said paramount Chief Andries Waterboer by a certain line drawn from the lands of Ramah on the Orange river to David's Grave on the left bank of the Riet river and thence northward to the Modder river, corresponding exactly with that portion of the line of boundary now claimed by Her Majesty's Government as the boundary between the Province of Griqua-Land West and the territory of the Orange Free State, and incidentally referred to in the Treaty entered into between his Excellency Lieutenant-General Sir Peregrine Maitland, K.C.B., &c., Governor of the Colony of the Cape of Good Hope, on the part of Her Britannic Majesty, and the said Adam Kok therein described as the Chief of the Philippolis Griquas for himself and the said Griquas, dated the 5th day of February 1846.

19. (a) And whereas Her Majesty's Government further maintains that the Government of the Orange Free State never did either in or about the year 1861 or at any other time lawfully acquire, by purchase or otherwise, directly or indirectly, from the aforesaid Adam Kok, son of the aforesaid Adam Kok, otherwise called Dam Kok, and nephew of Cornelius Kok, any portion of the territory now included in the Province of Griqualand West.

(β) And also that the last named Cornelius Kok never was a territorial Chief, and never had any independent sovereign authority over any country or lands whatsoever.

(γ) And also that the said Adam Kok, son of the aforesaid Adam Kok, otherwise called Dam Kok, was not by Griqua law heir to the said Cornelius Kok.

(δ) And also that the said Adam Kok never did either in person or indirectly authorize one Henry Harvey, or any other alleged agent, to sell such lands to the Government of the Orange Free State.

(ε) And also that the said Adam Kok never had any right or title to or in the said lands, and that the said lands could not be alienated in any way by the said Adam Kok.

(ζ) And also that the said lands formed part of the territory ceded to Her Majesty's Government by the said paramount Chief Nicholas Waterboer and the Griqua people, to whom the said lands of right and actually belonged, being parcel of the territory proclaimed British territory on the 27th day of October, 1871, by his Excellency Sir Henry Barkly, K.C.B., as aforesaid, by which cession all the right and title of the said Nicholas Waterboer and the Griqua people were transferred to Her Majesty's Government.

20. And whereas the Government of the Orange Free State claims as aforesaid to have exercised sovereign rule, authority, and jurisdiction since the 23rd day of February, 1854, over the whole of the territory lying between the Orange River, the Vaal River, and the Drakensberg, with the exception of certain lands assigned to the

Basuto Chief Moshesh and to Captain Adam Kok before the last-mentioned date, and also with the exception of the land known as Albania, but including certain three farms alleged by the said Government to be held under titles granted by the British Government between the 3rd day of February, 1848, and the 23rd day of February, 1854. Her Majesty's Government, in addition to such general denial as aforesaid, maintains that the Government of the Orange Free State never exercised sovereign rule, authority, and jurisdiction over the territory of the Barolong Chief Moroko; and also that for a considerable time the Government of the Orange Free State never exercised sovereign rule, authority, and jurisdiction over the territory of other minor Chiefs, including that of the minor Chief Lepuy, and only obtained sovereignty over the said territory of the said minor Chief Lepuy after negotiation with him and by his consent.

21. And whereas in the aforesaid Proclamation of the 27th of October, 1871, certain boundary lines have been described, to wit, amongst others, that separating the Province (then designated territory) of Griqua-Land West from the territory of the Orange Free State thus: "On the west to the point nearest to Ramah on the east, thence in a northerly direction to David's Grave, near the junction of the Modder and Riet Rivers, thence in a northerly direction to the summit of the Platberg."

22. And whereas a survey of the said line has been made by Francis Henry Samuel Orpen, Esquire, Surveyor-General of the Province of Griqua-Land West, on behalf of Her Britannic Majesty's Government, by which survey his Excellency the Governor of the Province of Griqua-Land West has intimated his intention to abide.

23. And whereas Ramah is the name formerly given to an out station of Griqua-town, which embraced a considerable tract of land extending along the right bank of the Orange River and for some distance inland.

24. And whereas different spots have heretofore been indicated by different persons as the site of David's Grave.

25. And whereas the name "Platberg" has been applied to other ranges of hills than the one intended by the aforesaid Proclamation, No. 67 of 1871, to be on the boundary line of Griqualand West.

26. And whereas Her Majesty's Government maintains that the term "Ramah," as used in the aforesaid Proclamation No. 67 of 1871, was intended to mean a point within the original Ramah lands (which included certain lands known as Frederick's Fontein, which in or about the year 1838 belonged to the Ramah Station), from whence a straight line drawn to the true site of David's Grave would leave half the said Ramah lands or thereabouts within the Province of Griqua-Land West.

27. And whereas Her Majesty's Government further maintains that the term David's Grave, as used in the aforesaid Proclamation No. 67 of 1871, was intended to mean the spot where one David Isaac, a Griqua, was buried, after dying of his wounds, in or about the year 1830.

28. And whereas Her Majesty's Government further maintains that the term "summit of the Platberg," as used in the aforesaid Proclamation No. 67 of 1871, was intended to mean a point on the Platberg range, such that a straight line drawn therefrom directly towards the eastern extremity of that portion of Waterboer's boundary defined by His Excellency Robert W. Keate, C.M.G., Lieutenant-Governor of Her Majesty's Colony of Natal, in the Final Award by him made and published on the 17th day of October, 1871, whereby he defined the boundaries theretofore in dispute between the said Nicholas Waterboer and the said Griqua people of Griqua-Land West, of the one part, and the South African Republic, of the other part, shall not only form one continuous straight line with that part of the said boundary between the Vaal River and a certain point (referred to in the said Award) north of Boetsap, but shall include within the Province of Griqua-Land West the lands of the old Mission Station, commonly called "Old Platberg."

29. And whereas the objects of this proposed arbitration are:—

(1.) To ascertain and determine the right and title of the Chief Nicholas Waterboer and the Griqua people of Griqua-Land West to certain lands parcel of the territory ceded by him and them, the said Chief and people, to Her Britannic Majesty, and proclaimed British territory on the 27th day of October, 1871, and then and now claimed by the Government of the Orange Free State as hereinbefore set forth.

(2.) To ascertain and determine the boundaries of the territory belonging to the said Nicholas Waterboer and the Griqua people of Griqua-Land West, and proclaimed British territory as aforesaid, so far as such boundaries coincide and are conterminous with the boundaries of the Orange Free State.

(3.) To ascertain and determine the true position of the three points aforesaid, to wit, Rainah, David's Grave, and the summit of the Platberg.

30. And whereas the parties to this Agreement, being both of them desirous to settle the differences between them touching the said lands, boundaries, and points, justly and amicably, have agreed to submit, and by these presents do submit the several points at issue between them as hereinbefore set forth to the award, order, and final determination of a Commission of Arbitration, consisting of six members, of whom three shall be nominated by his Excellency Sir Henry Barkly, K.C.B., Governor and Commander-in-chief of the Colony of the Cape of Good Hope and of the Province of Griqua-Land West, by any instrument in writing under his hand, and three in like manner by His Honour Johannes Hendrikus Brand, President of the Orange Free State; and the said Commission shall investigate as Arbitrators the said disputes, and the decision and award of the majority of the said Commission shall be held and considered the decision of the whole Commission; and in case the said Commission, or a majority of the same, should not be able to arrive at a decision, the said differences shall be referred to the final award, decision, and umpirage of an umpire not being a British subject, nor a subject of the King of the Netherlands, or in any way connected with the Orange Free State, either now or heretofore, to be chosen by either the American, German, French, or Russian Ambassador at the Court of St. James, one of whom to be selected by his Excellency the High Commissioner shall be mentioned by him in the instrument in writing under his hand nominating three of the Commissioners before referred to.

Now this Agreement witnesseth as follows, that is to say:—

1. The parties hereto respectively shall be represented at the several sittings of the Arbitrators by one or more persons duly appointed as counsel by the respective Governments, and such counsel shall be entitled and required to produce to and before the Arbitrators all such evidence, documentary or oral, as such party may be able or desirous to produce concerning the matters in controversy.

2. All witnesses produced by either party shall be sworn in like manner as if produced as witnesses in a Court of Justice, provided that any witnesses who would in the Colony of the Cape of Good Hope, or the Orange Free State, be capable of giving evidence in consequence of religious scruple or otherwise, without being sworn, shall be capable of giving evidence without being sworn: Provided always that before any such person shall proceed to give evidence, the Arbitrators before whom he shall be offered as a witness, or one of them, shall admonish him to speak the truth, the whole truth, and nothing but the truth; and provided also that all sworn witnesses wilfully making a false statement, and any such person as aforesaid who shall wilfully and falsely state anything which if sworn would have amounted to the crime of perjury, shall be deemed to have committed the said crime, and shall, upon conviction, be subject to such punishment as is or shall be provided for by the law of the territory wherein the Arbitrators hold their sittings.

3. The rules of evidence in force in the Supreme Court of the Colony of the Cape of Good Hope shall in all cases be followed as nearly as possible, and in case of any difference between the Arbitrators upon any ruling on any matter of evidence or practice arising out of the arbitration, which said difference cannot be decided by the Arbitrators themselves, such difference shall be forthwith by the said Arbitrators be referred to his Honour Mr. Justice Connor of the Supreme Court of Her Majesty's Colony of Natal, whose decision thereon shall be final.

4. Each party shall, not less than [] days before the first sitting of the Arbitrators, deliver or cause to be delivered to the Arbitrators, and also to the opposite party, a schedule of all documents, plans, or diagrams whereof such party intends to avail himself throughout the arbitration; and each party shall deliver or cause to be delivered to the Arbitrators copies of all such documents, plans, or diagrams: Provided always that whenever any document, plan, or diagram may have been omitted from the said schedule, and copies either by accident or because the party producing the same had reason to suppose it would not be requisite, the Arbitrators shall be empowered to admit such document, plan, or diagram at their own discretion.

5. In case any one of the Arbitrators should become incapacitated from acting either before or pending the arbitration, the party by whom such Arbitrator or Arbitrators was or were appointed shall be empowered and bound to appoint another Arbitrator or Arbitrators in his or their stead, who shall have the same powers and duties as the Arbitrators appointed in the first instance; and in case no such appointment be made, the arbitration shall proceed before the remaining Arbitrators.

The sitting of the Arbitrators shall be held at the town of Barkly in the Province

of Griqua-Land West, where both parties shall be entitled to produce all the evidence they may desire; and the Arbitrators shall have power to adjourn their sitting from time to time; and, if they shall deem it necessary or expedient, they shall be empowered to appoint any other place for any subsequent sitting, provided always that reasonable notice be given of any subsequent sitting, so that both parties may attend thereat.

6. One Counsel on either side shall have the right of stating the facts which he intends to prove, and shall then proceed to the proof thereof; and upon the evidence on both sides being closed, all the Counsel for either party shall have the right to be heard *seriatim* according to their seniority, after which the leading Counsel first heard on either side shall have the right of again addressing the Arbitrators, and shall also be entitled within five days after the closing of the evidence to lay before the Arbitrators a written statement of their respective cases which shall be in the English language, and shall at the same time furnish the opposite party with a copy of the same, to which the respective parties shall be entitled to reply in writing, provided that such reply shall be laid before the Arbitrators not later than five days after the written statements above-mentioned have been handed in.

7. It shall be competent for the Arbitrators or the Umpire (as the case may be) to call upon either party or both parties for any further evidence than that produced by the parties as they may deem necessary or desirable.

8. All proceedings before the Arbitrators shall be in the English language, and the Arbitrators shall have the right to appoint sworn translators to interpret the evidence of any witness unable to speak the English language: provided always that the party tendering in evidence any document not in the English language shall be bound to furnish a translation thereof by a sworn translator approved by the Arbitrators.

9. The Arbitrators shall be empowered jointly to appoint a registrar or secretary, whose duty it shall be to attend every sitting of the Arbitrators, to take down *verbatim* in writing all oral evidence, to file all documentary evidence tendered by either party, and to tax certain costs as hereinafter provided.

10. The Arbitrators and Umpire shall be paid such remuneration for their services as they shall fix and determine, and the Arbitrators shall also fix and determine the amount of remuneration to be paid to the registrar or secretary, and also what fees shall be payable to the counsel engaged on either side: provided always that such fees shall in no case be less than the minimum fees payable in civil cases to Counsel practising in the High Court of Griqua-Land; and the Arbitrators shall further fix and determine the remuneration which land surveyors engaged in preparing plans, diagrams, or other evidence for the Arbitration shall receive: provided always that such remuneration shall in no case be lower than the scale allowed by the Government notice, No. 244 of the 24th of July, 1866, of the Colony of the Cape of Good Hope.

11. The Arbitrators shall have power to decide which party shall pay the costs of the Arbitration, and all costs other than the fees or remuneration payable to the Arbitrators, the Umpire, the Counsel on either side, and the land surveyors, shall be subject to taxation by the registrar or secretary, from whose decision, nevertheless, there shall be a right of appeal in all cases to the Arbitrators, and, if the Arbitrators cannot agree, then to the Umpire.

12. The parties respectively shall do everything necessary to enable the said Commission of Arbitration, or, in case they cannot agree, the Umpire, to make a just award, and neither of them will do, or cause to be done, any act to delay or prevent the said Commission of Arbitration, or, in case they cannot agree, the Umpire from making an award; and the said parties shall respectively, for and on behalf of their respective Governments and people, in all things stand to obey, abide by, fulfil, and keep the award, which shall be made in the premises by the Commission of Arbitration, or, in case they cannot agree, by the Umpire.

Inclosure 2 in No. 1.

Resolution passed by the Legislative Council of Griqua-Land West on the 3rd June, 1874.

THAT, in the opinion of this Council, no further delay should take place with the issue of titles to land in this Province on account of the differences with the Orange Free State about boundaries.

That this Council is of opinion that all proper offers have been made by the High Commissioner to the Government of the Free State to submit the differences to settlement by Arbitration, and that the cause of this settlement not being arrived at is the unwillingness of that Government to agree to a fair and reasonable Deed of Submission.

Inclosure 3 in No. 1.

Sir,

Bloemfontein, February 28, 1874.

I HAVE now the honour to reply to your Excellency's letter of the 14th ultimo.

Seeing that our respective Governments are unfortunately at issue upon nearly every point connected with the question existing between them as to the right and title of the Orange Free State to the lands to the south of the Vaal River situate within the Vetberg line, and the three British land certificate farms, and to the Campbell lands to the north of the Vaal River, I thought it would have been sufficient to set forth in the deed of submission the question in dispute between our respective Governments, our mutual desire to refer them to the decision of the Arbitrators we have agreed upon, and the promise to abide by their decision. But yielding to your Excellency's desire to have a statement in the deed of submission of the grounds upon which the Government of the Orange Free State based their rights, I endeavoured, as far as I was able, to comply with your Excellency's wishes, and briefly stated in the draft deed of submission, transmitted in my letter of the 25th September last, the grounds upon which our Government would before the Arbitrators maintain their right and title to the lands in dispute, and I shortly *pro forma* inserted a paragraph where the statement of the case of Her Britannic Majesty's Government could be set forth. Anticipating that in the case of Her Majesty's Government something might occur which would call for a reply, I inserted the paragraph immediately following upon the statement of the case of Her Majesty's Government.

I am glad that the point about which we were for a long time unable to come to an agreement, viz., the selection of an Umpire, has at length been settled. And I entertain the confident hope that by mutually endeavouring to meet each other so far as we can upon the several points embraced in the deed of submission substituted in the place of our draft, we shall soon be able to adjust the preliminaries by which the amicable settlement of our differences by arbitration can be accomplished. With that view I would propose the following alterations in the draft Deed of Submission transmitted to our Government in your Excellency's letter of the 14th ultimo, viz.:—

After the recital—

1. Whereas certain disputes and differences have arisen and are depending between the Government of Her Britannic Majesty and the Government of the Orange Free State respecting Nos. 1, 2, and 3, beginning with the words "The right and title of the Chief Nicholas Waterboer," and ending, "and the summit of the Platberg," be omitted, and the following be inserted, "the right and title to certain lands to the south of the Vaal River, situate between the Vetberg line, including the three British land certificate farms Scholzfontein, Waterbeek, and Driekopspan, and a line from a point on the Orange River nearest to Ramah, from thence to David's Grave near the junction of the Riet and Modder Rivers, thence in a straight line in a northerly direction to the summit of Platberg, and to certain other lands commonly called the Campbell lands, situated to the north of the Vaal River, which the Government of the Orange Free State maintain to belong to and to be part and parcel of their territory, whilst Her Britannic Majesty's Government, on the other hand, maintain that they belong to the Chief Nicolas Waterboer and his people, and were ceded by them to Her Britannic Majesty's Government."

To paragraph 2 we have no objection.

In copying the statement of the case of the Orange Free State Government, from
(161)

paragraphs 3 to 12, the following mistakes have been made, viz., paragraph 5, for the "sovereignty," read "her" sovereignty, and insert the words, "specially appointed by Her Majesty for that purpose." For "Deputies," read "Representatives" delegated by the inhabitants to receive it.

Paragraph 6, insert as in the draft transmitted on the 25th September last, "recognized by Her Majesty's and other Governments as the Orange Free State."

For the reasons above stated, paragraph 13, "And whereas the Government of the Orange Free State further maintain, &c.," must come after the statement of the case of Her Britannic Majesty's Government, to that paragraph 14 will become paragraph 13, and the following paragraphs be numbered accordingly.

Would not the words, "and whereas this is denied by Her Majesty's Government, who maintain that on the 3rd February, 1848, &c.," inserted in paragraph 15, which would then become paragraph 14, be more in accordance with the phraseology in deeds of submission to arbitration, than the words in paragraph 14, known in the Law Courts of the Cape Colony as "the general issue."

Paragraphs 14 to 19 inclusive contain the statement of the case of Her Majesty's Government, and although our Government will before the Arbitrators contest the facts and the conclusiveness of the reasoning, it will be for them to decide who is right after a full hearing of both parties.

Ad Par. 20. Although our Government do not assent to the contention of Her Majesty's Government, as set forth in paragraph 20, but persist in maintaining that, although by virtue of the Convention of the 23rd of February, 1854, they were entitled to exercise Sovereign rule, authority, and jurisdiction over the whole territory transferred to them by Her Majesty's Government, they were guided by the principle of equity and justice to allow such Chiefs as Moshesh, Moroka, or any minor Chiefs from whose people no ground had been purchased by the white inhabitants, or where titles had not been issued by Her Majesty's Government during Her Majesty's Sovereignty from 1848 to 1854, to exercise jurisdiction over their people, as has already been fully set forth in the statement of the case of the Orange Free State Government in paragraphs 7 to 9 inclusive. Yet we have no objection, provided in that paragraph be inserted as part of the case of Her Majesty's Government, "And whereas Her Majesty's Government further maintains." But we cannot admit the correctness of the fact and argument, and, therefore, cannot assent to its coming in by way of recital as it at present seems to stand.

Ad Par. 21. Here also we do not assent to what is therein stated, but have no objection to let this clause stand, provided the following words at the beginning be inserted, so as to alter it from a recital to a part of the statement of Her Majesty's Government, viz., "And whereas Her Majesty's Government further maintains, &c."

Ad Par. 22. We shall be glad to know the meaning and intention of the concluding words "by which survey his Excellency the Governor has intimated his intention to abide." Is it intended that the Arbitrators are merely to beacon off the line therein mentioned as surveyed by Mr. Orpen? We maintain that not the line from David's Grave to Platberg, but the line from Ramah to David's Grave intersected by the Vetberg line, made in 1855, is the boundary of the Orange Free State to the south of the Vaal River, and also that Mr. Orpen, in his survey, has not taken the true position of the well-known points Ramah, David's Grave, and Platberg. But since we are at issue both with regard to the boundary line and to the true position of the points taken by Mr. Orpen in his rough survey, these questions will have to be decided by the Arbitrators. With this understanding, we have no objection to let the paragraph stand as part of the statement of the case of Her Majesty's Government, provided the words be added to the beginning, "And whereas Her Majesty's Government further maintains," reserving to ourselves the right to prove before the Arbitrators the correctness of our contention.

Ad Par. 23. We have no objection to this paragraph, provided the words be added at the beginning, "And whereas Her Majesty's Government further maintain, &c.," for we deny the correctness of the contention.

Ad Par. 24. Can stand, provided that the words "and whereas Her Majesty's Government further maintain, &c.," be inserted at the beginning, for we deny the allegation.

Paragraph 25. Can stand, provided the words "and whereas Her Majesty's Government further maintain," are inserted. We are also at issue upon what is therein stated.

Ad Par. 26 and 27. The Government of the Orange Free State are at issue

on all the points stated in these two paragraphs, and maintain that the rights of the parties and not the intention of the proclamation is the question which will have to be decided by the Arbitrators; but they have no objection to let it stand as part of the statement of the case of Her Majesty's Government.

Ad Par. 28. As the award of his Excellency Lieutenant-Governor Keate was given on a question between the South African Republic and Captain N. Waterboer and certain other native Chiefs, it cannot affect the right of the Orange Free State, so they all along declined to submit the present question at issue between Her Majesty's and their Government to his Excellency's award, and it cannot, on any principle of right, equity, or justice, be introduced into, or be relevant to, the present question which is to be submitted to the decision of the Arbitrators herein mentioned. They must, therefore, object to the introduction of the award in the present question.

And although they maintain that the right of the parties and not the intention of the Proclamation will be the point to be decided by the Arbitrators, they have no objection to let paragraph 28 stand, provided the words beginning with "such" and ending "Griqua-Land West" be omitted, and the words "so as to include" be inserted before the word "lands, so that it will read thus: "Paragraph 28. And whereas Her Majesty's Government further maintains that the summit of the Platberg as used in the aforesaid Proclamation, No. 67 of 1871, was intended to mean a point on the Platberg range, so as to include the lands of the old Mission Station, commonly called Old Platberg."

After the statement of the case of Her Majesty's Government, with which paragraph 28 concludes, is to be inserted for the reasons above stated, paragraph 13 of your Excellency's draft with the following words added at the beginning, viz.:—

"And whereas the Government of the Orange Free State denies all the allegations of fact stated in the case of Her Majesty's Government, and the conclusions drawn therefrom;" and the addition at the end, "and did also under protest abstain from exercising jurisdiction over the Campbell lands situated to the north of the Vaal river, which had been purchased by them as before stated from Captain Adam Kok on the 26th December, 1861, and proclaimed Orange Free State territory by the Proclamation of the 24th September, 1862, and subsequent dates." We do not consider it necessary to enter minutely into a refutation of all the facts and arguments stated in paragraphs 14-28, as these points can be more conveniently discussed before the Arbitrators who will decide upon them.

Paragraph 13, to follow after paragraph 28, will then read thus:—"And whereas the Government of the Orange Free State denies all the allegations of fact stated in the case of Her Majesty's Government, and the conclusions drawn therefrom. And whereas the Government of the Orange Free State further maintains that Her Majesty's High Commissioner, Sir Henry Barkly K.C.B., did subsequently, in the name and on behalf of Her Britannic Majesty's Government, take forcible possession of the said territory, and the said Government of the Orange Free State did thereupon under protest withdraw the authority which they had undisturbedly exercised over the said territory so situated to the south of the Vaal River from the date upon which the Government of the territory was transferred and made over to it by the Convention of the 23rd February, 1854, before-mentioned, and did also under protest abstain from exercising jurisdiction over the Campbell lands situated to the north of the Vaal River, which has been purchased by them as before-stated from Captain Adam Kok on the 26th December, 1861, and proclaimed Orange Free State territory by the Proclamations of the 24th September, 1862, and subsequent dates."

Ad Par. 29. We propose that after the words "And whereas the objects of this proposed Arbitration are," the following words be inserted instead of Nos. 1, 2, and 3, viz.:—"1. To ascertain the right and title to certain lands to the south of the Vaal River situated between the Vetberg line, including the three British land certificate farms, Scholtzfontein, Waterbeek, and Driekopspan, and a line from a point on the Orange river nearest to Ramah from thence to David's Grave, near the junction of the Riet and Modder rivers, thence in a straight line to Platberg; and,

"2. To certain other lands commonly called the Campbell lands, situated to the north of the Vaal River, which the Government of the Orange Free State maintains to belong to and to be part and parcel of their territory, whilst Her Britannic Majesty's Government on the other hand maintains that they belong to the Chief Nicholas Waterboer and his people, and were ceded by him and them to Her Britannic Majesty's Government.

"3. To ascertain, fix, and determine, the boundaries and points in accordance with their award."

Ad Par. 30. This is taken over with some modification from our draft, viz.:— After the word “lands” the words “boundaries and points” are inserted, to which we have no objection. After the words “to submit” are inserted the words “and by these presents do submit,” to which there is no objection. After the words “consisting of six members,” there is no objection to the substitution of the words “of whom three shall be nominated by his Excellency;” but as the agreement to submit the question to arbitration is entered into by “His Excellency Sir Henry Barkly K.C.B., Her Britannic Majesty’s High Commissioner Acting for and on behalf of the Government of Her Britannic Majesty,” we do not see why the words “High Commissioner,” as in our draft, should be superceded by the words “Governor and Commander-in-chief of the Colony of the Cape of Good Hope and of the Province of Griqua-Land West.” We, therefore, consider it necessary that instead of these other words, “High Commissioner acting for and on behalf of Her Britannic Majesty’s Government,” shall remain as in our draft, and in the heading of your Excellency’s substituted draft, without the addition of Governor of the Cape Colony, &c.

We should have thought that the names of the Commissioners could have been inserted in the Deed of Submission, but no objection will be raised to the insertion of the words “by an instrument in writing under his hand, and in like manner by the President acting for and on behalf of the Government of the Orange Free State.” There is no objection to the insertion of the words “the said differences shall be referred to the final award, decision, and umpirage of an Umpire.”

As it was agreed upon that the Umpire was to be some “distinguished person of ability residing in Europe not being a British subject, &c.,” it is necessary that between the words “Umpire” and “not being a British subject,” the words “being some distinguished person of ability residing in Europe” shall be inserted.

We have no objection to the insertion after the words “Orange Free State,” of the words “either now or heretofore,” nor to the last part by which it is stipulated that the Ambassador, by whom the Umpire is to be nominated, shall be selected and mentioned by his Excellency the High Commissioner in the instrument in writing above referred to, although we think he might have been named in the deed itself in order to expedite the arbitration.

Ad “Now this agreement witnesseth,” &c. We believe that the mode of proceeding and the manner in which the proofs and arguments shall be brought forward may safely be left to be regulated by the Arbitrators, whose object and duty it will be, as it is the mutual desire of our respective Governments, to have a full and fair investigation and decision of the question still unfortunately existing between them; still, in order to expedite as far as we are able the speedy and amicable settlement of the question in dispute, we shall endeavour to meet the suggestions as far as we can.

Ad Par. 1. For “one or more persons duly appointed as Counsel by their respective Governments,” leave out the words “as Counsel,” and for “such Counsel shall be entitled,” read “such persons shall be entitled.”

Ad Par. 2. Although it is not usual as far as we are aware to insert such a clause as the last proviso of this paragraph in a Deed of Submission, we are willing to meet even this as far as we can, although it is not in my power to alter or modify our law of evidence as enacted by Ordinance No. 6 of 1856, we shall not object to this paragraph as it stands provided Article 5 be altered as proposed by us in the following manner, viz.:—

“The sitting of the Arbitrators shall be held for the hearing of the case of the Orange Free State at Jacobsdal in the Orange Free State, and for the hearing of the case of Her Britannic Majesty’s Government at Hope Town in the Colony of the Cape of Good Hope.”

Ad Par. 3. To this our Government cannot agree. It will no doubt be the aim of the Arbitrators to investigate fully and fairly the merits of the questions in dispute, and to give a just and equitable decision; but it cannot be expected that the Commissioners selected by our Government, or the Representatives appointed to lay the proofs and arguments of the case of the Orange Free State before the Arbitrators, can be conversant with the rules of evidence and the practice of the Supreme Court of the Cape of Good Hope.

And as it has already been agreed upon that the Umpire shall not be a British subject, we cannot consent that any one else than the Umpire shall finally decide upon any point, on the decision of which the whole question may perhaps depend.

Ad Par. 4. We have no objection if the proviso be omitted. We have full confidence in the Arbitrators, and shall, therefore, willingly leave the admission of evidence to their discretion; but we object to bind their discretion by the mere investi-

gation of the fact whether the omission in the schedule was "by accident or because the party producing the same had reason to suppose it would not be requisite."

Ad Par. 5. We hope that nothing may occur to incapacitate any of the Arbitrators from acting; but if it be necessary to make any provision in the Deed of Submission for such a contingency, as is made in Article 5, it will be necessary to allow a reasonable time for the nomination and appointment of another, as, owing to flooded rivers or other unforeseen accidents, some time may be required for that purpose. We therefore propose that "within thirty days" be inserted between the words "to appoint" and "another Arbitrator."

We believe that the sittings of the Arbitrators can more conveniently be held at Jacobsdal, in the Orange Free State, and Hope Town, in the Cape Colony, and, therefore, propose the following alternation, viz.:—"The sittings of the Arbitrators shall be held for the hearing of the case of the Orange Free State at Jacobsdal, in the Orange Free State, and for hearing the case of Her Majesty's Government at Hope Town, in the Cape Colony, where the parties respectively shall be entitled to produce all the evidence they may desire; and the Arbitrators shall have the power to adjourn their sittings from time to time to either of the two before-named places: provided always that reasonable notice be given of any subsequent sitting, so that both parties may attend thereat."

Ad Par. 6. We propose that this paragraph should read thus:

"The Representatives on either side shall have the right of stating the facts which they intend to prove, and shall then proceed to the proof thereof. Upon the evidence on both sides being closed, all the Representatives of either party shall have the right to be heard *seriatim* according to the order to be determined by the Arbitrators; after which the Representatives of the party first heard on either side shall have the right of again addressing the Arbitrators, and shall also be entitled, within five days after the closing of the evidence, to lay before the Arbitrators a written statement of their respective cases, in which may be inserted all or any arguments which they may desire to employ, and which shall be in the English and Dutch languages at the option of the parties respectively; and shall, at the same time, furnish the opposite party with a copy and translation of the same, to which the respective parties shall be entitled to reply in writing, likewise in the English or Dutch language, as in the former instance; provided that such reply shall be laid before the Arbitrators not later than five days after the written statements before mentioned have been handed in. Nothing herein stipulated shall prevent the Representatives of either party giving such verbal explanations during the hearing of the case, or after the written statements shall have been handed in (as) they may desire or be called upon to give."

No objection exists to paragraph 7.

We propose that paragraph 8 be modified so as to read thus:

"All proceedings before the Arbitrators shall be in the English and Dutch languages at the option of parties, and the Arbitrators shall appoint sworn translators to interpret the proceedings into either language. Every document which may be tendered in evidence shall have to be accompanied by a translation thereof by a sworn translator approved by the Arbitrators."

We consider this modification necessary, because we do not think that all the Arbitrators selected on behalf of the Orange Free State will be conversant with the English language.

Ad Par. 9. We may safely assume that the Arbitrators will see the necessity of themselves taking down the evidence upon which they have to decide, and it may be left to their discretion whether the appointment of a registrar is necessary; we have no objection, however, should the assertion of such a clause be insisted upon, to agree to the following modification:—

"The Arbitrators shall be empowered jointly to appoint two registrars or secretaries, who shall be conversant with the English and Dutch languages, whose duty it shall be to attend every sitting of the Arbitration, to take down *verbatim* in writing, the one in the English and the other in the Dutch language, all oral evidence, and to file all documentary evidence tendered by either party," omitting at the end the words "and to tax," &c.

We are willing to assent to paragraph 10 thus modified:—

"The Arbitrators and the Umpire shall be paid such remuneration for their services as they shall fix and determine, and the Arbitrators shall also fix and determine the amount of remuneration to be paid to the registrars or secretaries, and also what fees shall be payable to the Representatives of either party, and what expenses shall be allowed the witnesses who shall have been heard. And the Arbitrators shall further fix

and determine the remuneration which land surveyors and interpreters shall receive for services they may be called upon to perform."

Ad Par. 11. We think that the following will be quite sufficient to meet the requirements of the case:—"The Arbitrators and, in case they cannot agree, the Umpire, shall have the power to decide which party shall pay the costs incidental to the Arbitration.

Paragraph 12 to stand as it is.

Hoping that we shall now soon be able to agree to a Deed of Submission, and settle the preliminaries for Arbitration, I have, &c.

(Signed) J. H. BRAND.

His Excellency Sir Henry Barkly, K.C.B.,
Her Majesty's High Commissioner.

Inclosure 4 in No. 1.

Sir,

Government House, Cape Town, August 10, 1874.

ON receipt of your Honour's despatch of the 29th May, on the subject of arbitration, my first idea was to reply in detail to the statements contained in it as to past transactions, and I proceeded accordingly to institute the inquiries requisite for the purpose.

2. Finding, however, that it would occasion interminable references to written documents if I were even to follow your Honour through the history of the negotiations of the last ten years, with a view of rebutting the version of them put forward by your Honour, by counter assertions on the part of Captain Waterboer, or the British Government, and being of opinion that this description of correspondence has been extended to quite as great a length as I am justified in carrying it, I have come to the conclusion that I shall best promote the object which I have in view of securing an amicable settlement of these long-pending differences, by passing at once to what your Honour states with regard to the Deed of Submission proposed by you last September.

3. Your Honour did, no doubt, in your letter of the 25th of that month show how, in your opinion, a settlement of the preliminaries for a reference to arbitration of existing boundary disputes might be facilitated if I could be induced to consent to adopt the draft deed then submitted by you, and allow it to be considered as fully and fairly setting forth all the points in dispute. I did not, however, feel warranted in so regarding that draft, as it appeared to me that the questions at issue were neither fairly nor fully represented in it.

4. As, however, I considered that the case of the Orange Free State, from your Honour's point of view, had been fully stated, and as, in that way I had obtained partly, though not so explicitly as I desired to have it, the information which your Honour had on several occasions been unsuccessfully solicited to furnish, viz.: particulars of the territories to which your Government laid claim, and a statement of the grounds upon which their claims rested, and as, also, I was extremely desirous that a settlement of the disputes should without unavoidable delay be arrived at, I accepted the statements put forward in your draft deed as those upon which your Government rested its claim, and set against it the claim of the late Griqua Government as transferred to Her Majesty, and expressed my willingness to leave the case so stated on both sides in a deed to which we should both be parties, to be determined by the arbitrators, or final referee previously arranged and agreed upon.

5. I regret exceedingly that your Honour should have considered it proper to object to our respective cases being placed before the Arbitrators as in the deed referred to, fairly and fully set forth on both sides, for such objections can but strengthen and confirm the impression heretofore entertained by the Griqua Government, and also by my predecessor and myself, that your Honour's Government is unwilling to allow the case to go to arbitration unless it can be submitted in such a partial and incomplete form as shall give undue advantage to your side.

6. No useful purpose, as I have already intimated, would be served by continuing a correspondence in which assertions are repeated which have been frequently before made by your Honour's Government, but the accuracy of which has frequently been denied by Captain Waterboer and his Government.

7. According to your Honour's own showing in the letter now under acknowledgment, an endeavour to settle the question in dispute by arbitration ten years ago broke down by reason of the unwillingness of your Government to allow the whole

case to be inquired into and disposed of. Your Government then determined to be judges in their own case, and to retain possession of a large extent of land of which Waterboer's Government alleged they had been despoiled by force and fraud.

8. All arguments in support of the claim of the Free State to the lands to the south of the Vaal River on the ground of occupation and the exercise of jurisdiction for several years, fail to have force, if such occupation was unlawful, and such jurisdiction was, consequently, usurped; and that such was the case is what has all along been contended by the late and present Government of Griqua-Land.

9. The case briefly stated is this: Before the Sovereignty of Her Majesty the Queen was proclaimed over certain territories north of the Orange River, and consequently some years prior to the existence of the Orange Free State, the south-east boundary of West Griqua-Land had been agreed upon and defined; and the Government of that portion of Griqua-Land assert that all claims to farms north-west of that line founded upon British land certificates, or transactions between individual natives and persons of European extraction, or upon any other transactions whatever, are invalid claims, and must be regarded as such.

10. It is scarcely necessary that I should remind your Honour that the extension of British authority over the country in 1870 was accelerated by the action which your Government then took to decide the question in dispute between you and Waterboer in your own favour, by issuing a Proclamation extending the authority of your Government over the disputed territory, respecting which you had previously agreed to go to arbitration—and thereby embracing within your jurisdiction and so placing in a position of hostility towards the Griquas, between whom and Her Majesty's Government the most friendly relations had ever existed, many thousands of British subjects who had gone into the disputed territory for lawful purposes.

11. Then, as well as before and since, the great and only obstacle in the way of the disputes being settled by fair and honourable arbitration was, the unwillingness, as I have before said, of your Government to submit the whole case fairly and unreservedly to that ordeal.

12. Entertaining, as I do, the views and opinions herein contained, it appears to me only necessary to repeat that I am unable to depart from the terms set forth in the draft deed returned to your Honour with my letter of the 14th of January last, but that I hold myself prepared to select three gentlemen as Arbitrators on our side, and to name the Ambassador by whom the final referee is to be chosen, so soon as your Honour will enable me to do so by communicating to me your willingness to abide by the decision which may be arrived at by the Arbitrators.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqualand West.

His Honour the President of the Orange Free State.

No 2.

Foreign Office to Colonial Office.

Sir,

Foreign Office, October 3, 1874.

I AM directed by the Earl of Derby to transmit to you a letter from Mr. Vander Byl and Mr. Hamelberg, forwarding a letter addressed by the President of the Orange Free State to his Lordship on matters connected with its relations with Her Majesty's Government.

I am also to transmit a copy of a letter which has been sent to these gentlemen, reminding them of the decision come to in 1871, that the Secretary of State for the Colonies was the proper authority to be addressed in regard to the affairs of the Orange Free State; and I am to request that you will move the Earl of Carnarvon to cause Lord Derby to be acquainted with his views as to whether there is any ground for now reconsidering this decision, or the refusal to receive an envoy from that State in a diplomatic character.

I am, &c.

(Signed)

T. V. LISTER.

Inclosure 1 in No. 2.

*Orange Free State Consulate, 102, Harley Street,
September 21, 1874.*

My Lord,

HAVING received instructions from the President of the Orange Free State to hand over to your Lordship a letter addressed by him to your Lordship, and having been informed at the Foreign Office that your Lordship is not in London, and not likely to be there for some time, we have the honour to enclose herewith the said letter, and to state that we shall be prepared and happy to give to your Lordship any explanation and information which your Lordship may require, at such time and place as your Lordship may be pleased to appoint. The second undersigned having come to England for this sole purpose, we shall consider it a great favour to receive an early reply.

We have, &c.

(Signed) P. G. VANDER BYL, *Consul-General.*
H. A. L. HAMELBERG.

The Right Hon. the Earl of Derby,
Her Majesty's Principal Secretary of State for Foreign Affairs.

Inclosure 2 in No. 2.

My Lord, *Bloemfontein, Orange Free State, June 12, 1874.*

FULLY convinced of the sincere desire of Her Majesty's Government to act with justice towards the Orange Free State, which up to the time when Her Majesty's Sovereignty was withdrawn by the Convention of the 23rd of February 1854, formed part of Her Most Gracious Majesty's dominions. I have the honour to bring the following to your Lordship's notice, in the earnest hope that your Lordship and Her Majesty's Government will take the subject into favourable consideration, with the view of redressing what the Government of the Orange Free State feel to be a grievance.

By the Convention of the 23rd of February, 1854, Her Majesty's Sovereignty was transferred to the representative of the Orange Free State.

Desirous to act justly towards the natives within the territory which formed the Orange River Sovereignty, bounded by the Orange River, the Vaal River, and the Drakenberg, the Government of the Orange Free State recognised the claim of Captain Nicholas Waterboer to certain lands situated to the South of the Vaal River, and agreed, in 1855, that the Vetberg line, including three farms to which British titles had been issued, should be the boundary line between them.

Since that time, until the discovery of diamonds, the Government of the Orange Free State remained in free and undisturbed possession of, and exercised their authority and jurisdiction over, that territory until forcible possession was taken of it under a Proclamation of His Excellency, Her Britannic Majesty's High Commissioner for the Cape Colony, of the 27th of October, 1871, when the Government of this State, anxious to maintain amicable relations with Her Majesty's Government, withdrew their authority under protests dated 7th November and 4th December, 1871, from the territory to the South of the Vaal River, as well as from the Campbell lands situated to the North of that river, which became the property of this State by purchase from Captain Adam Kok, as heir and successor of the late Captain Cornelius Kok in 1861.

Although the Government of the Orange Free State both before and after possession was taken by Her Majesty's Government under the before-mentioned Proclamation of His Excellency the High Commissioner, Sir Henry Barkly, endeavoured to come to a fair and equitable arbitration concerning their right and title to the aforesaid territory; they regret to say that all their efforts have hitherto been ineffectual to accomplish this much desired settlement, they therefore appeal to the sense of justice and equity of Her Majesty's Government, in the confident hope that Her Majesty's Government will aid and assist them to arrive at an agreement as to the terms of a Deed of Submission, by which the title to the before-mentioned lands in dispute may soon be decided.

In order to afford every explanation, and give any information which may be required by your Lordship, they have deputed Mr. Pieter G. Vander Byl, Consul-General of the Orange Free State in London, and Mr. H. A. L. Hamelberg, who has long been a resident in the Orange Free State, and who is fully conversant with the facts and proofs bearing upon the question, to wait as a deputation upon your Lordship,

and I have the honour, on behalf of my Government, to request that your Lordship will grant them an audience, and afford them a hearing, so that the question, about which our Government are unfortunately at issue with Her Majesty's Government, may soon be brought to a satisfactory solution.

I have, &c.
(Signed) J. H. BRAND,
President of the Orange Free State

The Right Hon. the Earl of Derby,
Her Majesty's Secretary of State for Foreign Affairs.

Inclosure 3 in No. 2.

Gentlemen,

Foreign Office, October 3, 1874.

I AM directed by the Earl of Derby to acknowledge the receipt of your letter of the 21st ultimo, inclosing a letter addressed to his Lordship by the President of the Orange Free State on matters connected with its relations with Her Majesty's Government.

In reply, I am to remind you of the correspondence which took place in the year 1871 between the Secretary of State for Foreign Affairs and Mr. Hamelberg, and of the decision of Her Majesty's Government, which was then communicated to that gentleman that the Secretary of State for the Colonies was the proper authority for him to communicate with on matters connected with the Orange Free State.

I am, &c.

P. G. Vander Byl, Esq.,
H. A. L. Hamelberg, Esq.,
102, Harley Street.

(Signed) T. V. LISTER.

No. 3.

Colonial Office to Foreign Office.

Sir,

Downing Street, October 14, 1874.

I HAVE laid before the Earl of Carnarvon your letter of the 3rd instant,* with one from Messrs. Vander Byl and Hamelberg, inclosing a letter addressed by the President of the Orange Free State to the Earl of Derby on matters connected with its relations with Her Majesty's Government.

It appears to Lord Carnarvon that not only is there no reason for varying the decision come to in 1871, respecting the communications between Her Majesty's Government and the Free State, but that, on the contrary, the course of events since that time has rendered it increasingly necessary that communications from that State should be received through the Governor of the Cape of Good Hope as Her Majesty's High Commissioner.

I am to add that if the communication from the President of the Free State now delivered to Lord Derby is transferred to this Department, it will be referred to the Governor of the Cape for his report.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 4.

Foreign Office to Colonial Office.

Sir,

Foreign Office, October 23, 1874.

IN reply to your letter of the 14th instant,† I am directed by the Earl of Derby to state that he concurs with Lord Carnarvon that the communication addressed to Lord Derby by the President of the Orange Free State on matters connected with its relations with Her Majesty's Government should be transferred to the Colonial Office to be dealt with as his Lordship sees fit.

* No. 2.

† No. 3.

A copy of the further letter which has been addressed to Messrs. Vander Byl and Hamelberg is inclosed for Lord Carnarvon's information.

I am, &c.
(Signed) TENTERDEN.

Inclosure in No. 4.

Gentlemen,

Foreign Office, October 23, 1874.

I AM directed by the Earl of Derby to acquaint you that as on consideration Her Majesty's Government see no reason to depart from the decision alluded to in the letter from this Office of the 3rd instant, it is requested that any communication you may have to make to Her Majesty's Government may be addressed to Her Majesty's Secretary of State for the Colonies.

The letter from the President of the Orange Free State inclosed in your letter has been accordingly referred to the Colonial Department of Her Majesty's Government.

I am, &c.
(Signed) TENTERDEN.

P. G. Vander Byl, Esq.
H. A. L. Hamelberg, Esq.

No. 5.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, October 26, 1874.

I HAVE to acknowledge the receipt of your despatch of the 31st of August,* announcing that no progress had been made in the negotiations with the Orange Free State as to arbitration on the question of boundaries.

In the circumstances of the case I approve the letter which you addressed on the 10th of August to President Brand, stating your inability to depart from the terms of the amended draft deed of submission returned to him on the 14th of January.

The Government of the Free State having been made distinctly to understand that Her Majesty's Government will not arbitrate except upon certain clear terms, they must be left to consent to these terms or not as they think best. If they are not willing to consent to the terms laid down they can by no means be permitted to alter them, and the best course under the circumstances may be to allow the negotiations to stand indefinitely in abeyance.

I have, &c.
(Signed) CARNARVON.

No. 6.

Colonial Office to P. G. Vander Byl, Esq., and H. L. Hamelberg, Esq.

Gentlemen,

Downing Street, October 27, 1874.

I AM directed by the Earl of Carnarvon to acquaint you that in accordance with the decision of Her Majesty's Government as to the mode of communicating with the Government of the Orange Free State, your letter of the 21st September† to the Earl of Derby, enclosing one addressed to his Lordship by President Brand, has been transferred from the Foreign Office to this Department, and I am to state that Lord Carnarvon has referred Mr. Brand's letter to the Governor of the Cape for his observations.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 7.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, October 29, 1874.

I HAVE the honour to transmit to you herewith copies of a correspondence with the Foreign Office* respecting the mode of communication between Her Majesty's Government and the Orange Free State, and I shall be glad to receive any observations which you may desire to make upon the letter addressed by President Brand to the Earl of Derby, dated 12th June, 1874.

I have, &c.
(Signed) CARNARVON.

No. 8.

The Consul for Orange Free State to Colonial Office.

Sir,

*Orange Free State Consulate, 102, Harley Street,
November 3, 1874.*

I HAVE received your letter of the 27th ultimo,† informing me and my colleague Mr. Hamelberg, who is now in Holland, that you are directed by the Earl of Carnarvon to acquaint us, that in accordance with the decision of Her Majesty's Government our letter of the 21st September to the Earl of Derby, inclosing a letter from the President of the Orange Free State, has been handed to your Department, and that Mr. Brand's letter has been referred to the Governor of the Cape for his observations.

In reply, I beg to say that by the mail on the 5th instant, I will forward to his Honour the President of the Orange Free State copy of your letter for his information.

I remain, &c.
(Signed) P. G. VANDER BYL.

No. 9.

The President of Orange Free State to Colonial Office.—(Received November 11.)

My Lord,

Bloemfontein, Orange Free State, October 6, 1874.

WITH a view to promote the speedy and amicable settlement of the question which had arisen between Her Majesty's Government and the Government of the Orange Free State, with respect to certain territory in which the Diamond Fields are situated, and which, since the abandonment of Her Majesty's Sovereignty on the 23rd of February, 1854, had been in the undisturbed possession and under the jurisdiction of the Government of the Orange Free State, until the same was taken possession of under the Proclamation of Her Majesty's High Commissioner, Sir Henry Barkly, of the 27th of October, 1871, our Government Secretary, Mr. F. K. Höhne, addressed a letter to Her Majesty's Principal Secretary of State for Foreign Affairs on the 20th July last, informing his Lordship that our Government had deputed Mr. H. A. L. Hamelberg for the purpose of facilitating the amicable settlement of the question existing between Her Majesty and our Government.

To this letter an answer was returned from the Foreign Office on the 20th October, 1871, stating that all communications which Mr. Hamelberg might have to make to Her Majesty's Government on behalf of the Orange Free State should be addressed to Her Majesty's Secretary of State for the Colonies.

On the 25th October, 1871, Her Majesty's then Secretary of State for the Colonies, Earl Kimberley, received Mr. Hamelburg, though not in the official capacity in which he had been sent, as will appear from the letter of the Assistant Under-Secretary for the Colonies of the 7th October, 1871.

In the hope that the explanations and information given by Mr. Hamelberg at that interview might have led to the satisfactory solution of the question still unfortunately pending between Her Majesty and our Government, every effort was made on our side to come to an arrangement for a fair and equitable arbitration of the matter in dispute, as will appear from the correspondence which has taken place

* Nos. 2, 3, and 4.

† No. 6.

between his Excellency, Her Majesty's High Commissioner, and our Government since that time.

From his Excellency's last letter of the 21st ultimo, in answer to mine of the 3rd of the same month, it will appear "that the whole of the questions involved in the boundary dispute between the Orange Free State and Griqua-Land West are, at the present moment, under reference to your Lordship," and as all the efforts of our Government during the last three years have been unsuccessful in bringing about a fair and equitable arbitration of the question about the territory proclaimed by Her Majesty's High Commissioner on the 27th October, 1871, and from which our Government withdrew, under their protest of the 4th December, 1871, I have the honour, on behalf of the Government, to solicit your Lordship's favourable consideration on this matter, in order that this question may soon be settled by arbitration.

Feeling convinced of your Lordship's sincere desire to act with justice towards the Orange Free State,

I have, &c.
(Signed) J. H. BRAND.

No. 10.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, December 9, 1874.

WITH reference to my despatch of the 26th of October,* I transmit to you a copy of a letter† which I have received from the President of the Orange Free State, on the question of boundary between the Free State and Griqua-Land West.

I request that you will inform Mr. Brand that, while Her Majesty's Government regret that no better progress has been made towards the settlement of the question, they do not admit that there has been any failure on your part to propose reasonable terms.

I have, &c.
(Signed) CARNARVON.

No. 11.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received February 20.)

My Lord,

Government House, Cape Town, January 23, 1875.

IN reply to your Lordship's despatch of the 29th October,‡ transmitting copies of correspondence with the Foreign Office respecting the mode of communication between Her Majesty's Government and the Orange Free State, and calling for any observations I may desire to make on a letter addressed by President Brand to the Earl of Derby on the 12th June last, I have the honour to report as follows:—

2. The greater part of that letter is filled with the reassertion of Mr. Brand's views as to the boundary dispute between the Orange Free State and the Griquas, and as to the negotiations which have been going on for its settlement by arbitration.

3. With regard to the former it would be needlessly occupying your Lordship's time to do more than refer generally to the correspondence of my predecessors and myself, as showing that every one of his Honour's allegations regarding the original area of the territory transferred by Sir George Clark in 1854, the concurrence of Waterboer in the Vetberg line, the exercise of jurisdiction over the disputed territory, and the true position and heirship of Cornelius Kok, have been severally challenged, and, it is to be presumed from the sequel, refuted to the satisfaction of the Imperial Government.

4. As respects arbitration, which, in one shape or other, has been in contemplation for nearly ten years, I have only to remark that the draft Deed of Submission, which I forwarded to Mr. Brand in January 1874, stated the case of the Orange Free State in the words proposed by its own Government, without the alteration or omission of a single phrase beyond what was necessary by way of preamble, or for the sake of form,

whilst the case of the British Government, as representing Waterboer's rights, was set forth by way of recital merely, the operative portion of the Deed, as prepared by the Acting Attorney-General of Griqua-Land West, laying down rules for the conduct of the arbitration just and reasonable in themselves, and strictly in accordance with the procedure of Courts of Justice, where truth is the sole object in view.

5. Mr. Brand's concluding paragraph, however, in which he seeks, under the plea of affording further explanations in support of his attempt to reopen the whole case *de novo*, on the controverted premises laid down in the first portion, to obtain access for his envoys to the Secretary of State for Foreign Affairs, obviously constituted his Honour's real object in addressing the Earl of Derby.

6. I am glad to find that, when this attempt was afterwards followed up by Messrs. Vander Byl and Hamelberg, Her Majesty's Government decided upon maintaining the practice by which, ever since the Convention of 1854 was entered into, all correspondence with the Orange Free State has been made to pass through the Colonial Office and its Representatives.

7. This practice is by far the most convenient that could have been adopted, the State being so situated that it is scarcely possible to conceive any subject on which it can have to communicate with Her Majesty's Government which does not directly or indirectly affect the interests of one or other of Her Majesty's Colonial possessions in South Africa.

8. Possibly the proximity of the Transvaal Republic to the Portuguese possessions on Delagoa Bay, as well as its closer connection with slave-trading, may account for a similar rule having been on some occasions broken through, so far as to admit of its communicating direct with the Foreign Office through its Agent in London, nominating Consuls in this Colony, &c.; but it would not be difficult to prove that this dual mode of communication has been attended with complexity and confusion, nor that it has detracted from the weight which would otherwise have attached to the remonstrances addressed to its Government.

9. Independently of these considerations, and of the special inconvenience of any relaxation at the present stage of our negotiations with the Free State as to arbitration, I would respectfully submit to your Lordship that, looking to the increased powers of self-Government recently granted to this Colony, and to the possibility that both Republics will, in consequence, be sooner or later led by community of origin and interest to reunite in one great Confederation under the British flag, it would be highly inexpedient at this moment for Her Majesty's Government to consent to any change in the established system of correspondence.

I have, &c.
(Signed) HENRY BARKLY, *Governor.*

No. 12.

Colonial Office to Foreign Office.

Sir,

Downing Street, February 26, 1875.

WITH reference to your letters of the 3rd and 23rd of October last,* respecting the mode of communication between Her Majesty's Government and the Orange Free State, I am directed by the Earl of Carnarvon to transmit to you, for the information of the Earl of Derby, a copy of a despatch which has been received from the Governor of the Cape of Good Hope† in reply to Lord Carnarvon's despatch, in which copies of the correspondence with the Foreign Office were enclosed.

I have, &c.
(Signed) W. R. MALCOLM.

GRIQUA-LAND WEST.

CORRESPONDENCE relating to Griqua-Land West.

(In continuation of Papers presented to Parliament
by Command of Her Majesty, March 1873.
[C.—732].)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. August 6, 1875.*

LONDON

PRINTED BY HARRISON AND SONS.

SOUTH AFRICA.

PROPOSAL

FOR A

CONFERENCE OF DELEGATES

FROM THE

COLONIES AND STATES OF SOUTH AFRICA.



Presented to both Houses of Parliament by Command of Her Majesty,
May 1875.

LONDON :

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Proposal for a Conference of Delegates from the Colonies and States of South Africa.

No. 1.

The Earl of Carnarvon to Sir H. Barkly.

Sir,

Downing Street, May 4, 1875.

IT has been impossible for me, in considering the many difficult questions connected with South African affairs which have unceasingly demanded my attention since I assumed the seals of this Office, not to be struck with the great and serious disadvantages, whether in regard of security from disorder or of material progress, under which the several Colonies and States are placed through the absence of any defined and consistent policy governing questions of vital interest to all.

2. Up to the present time it has, from many causes, been difficult for the Governments of South Africa to make any effectual approach towards a clear and complete understanding on many points. Their isolation from each other, the diversity of the interests and occupations in which people actively engaged in settling and developing new countries under varying conditions are necessarily absorbed, and the existence, in some cases, of questions as to the ownership or boundaries of territory which have not proved easy of adjustment, have, with other disturbing causes, retarded that approximation which is so much to be desired.

3. You are well aware that those who have considered most deeply the requirements and prospects of South Africa, and are best able to comprehend them, have for some time past been of opinion that circumstances are becoming favourable to a better understanding and a more uniform course of action on several very important subjects, and, indeed, that there are some, the joint consideration of which cannot with safety be any longer postponed.

4. Recent occurrences in Natal have brought the question of the condition and treatment of the native population throughout South Africa into the foremost rank of those questions which especially demand uniformity of treatment. I need not now recapitulate the principal characteristics of the native policy which prevails under each Government; they are familiar to those to whom this despatch will be of more immediate interest; and it may be sufficient for me here to say, that while I believe the policy of each Government to present features which may be studied with advantage, there is a real and serious inconvenience, containing the germs of a great danger, in the continued maintenance, in close proximity, of widely-differing systems of native treatment.

5. As long as the natives, who are shrewd observers in such matters, perceive that the comparatively small European population of South Africa is divided under a number of Governments, which not only are not in close and cordial relations with each other in regard either to native questions or to any other matters, but are in some cases estranged by controversies which are sometimes sustained with only too much warmth, they must continue restless and unsettled, they are at the mercy of factious intrigues, and are ready to listen to suggestions as to their power of combining successfully against the disunited European Governments.

6. The result is, that there exists a distinct danger (though it is not, I trust, imminent) of widely-extended disaffection, which, if circumstances lent themselves to it, it might be difficult to subdue. Even in the absence of any threatening combination, each Government is required, in order to maintain order among the natives within its

own territory, and to guard against possible attacks from those without, to expend on police and other defensive organizations an amount of anxious thought, as well as of money, which might be better devoted to the general advancement of the community.

7. It is then with regard to the native question that I conceive it to be most urgent at the present moment that there should be a free and friendly interchange of opinion among the neighbouring Governments in South Africa, and if it were for the consideration of this question alone I should conceive that the assembling of a Conference, such as I am about to propose, of Representatives of the Colonies and States would be productive of the greatest advantage.

8. But there are other matters of importance and urgency, such as the sale of arms and ammunition, the arrest and surrender of criminals, as well as various minor territorial questions, which might be beneficially discussed; and more particularly the present position of Griqualand West presses very urgently for a careful consideration in its financial, administrative, and political aspects, and the Province is so closely connected in its relations with both the Cape Colony and the Dutch States, that I would gladly be made acquainted with the opinions of those who are locally conversant with all the details of so important a subject.

9. For these reasons Her Majesty's Government is desirous that a Conference of delegates, representing the Colony of Natal, the Province of Griqualand West, the Orange Free State, the South African Republic, and the Eastern and Western Provinces of the Cape, under such Presidency and with such assistance as Her Majesty's Government can give, should meet at the earliest practicable time at some convenient place within the Cape Colony, for the discussion of native policy, and of such other questions as it may be agreed to bring before the Conference.

10. With regard to the Delegates who should represent this country and the British dependencies in South Africa at such a Conference, and more particularly with regard to the person who should preside over its deliberations, I have felt some difficulty in forming a definite opinion, but I will state the general view which I entertain as to its constitution.

11. For many reasons I should be glad if it could be presided over by yourself. Your great knowledge of South African affairs, the temperate manner in which you have conducted your discussions with the Presidents of the neighbouring Republics, the confidence which Her Majesty's Government can place in your tried ability and experience, and the high position which you hold, would indicate you as the most suitable person to be President of such a Conference.

12. But I am very reluctant to desire you in express terms to assume this function, as I feel that no one but yourself can judge whether this onerous duty should be added to the burdens and responsibilities which you already have to bear. I leave it therefore entirely to your decision whether you should join the Conference, which you could hardly do in any other than the chief capacity, that of President. If, after fully considering the matter, you determine that it will be preferable that you should not undertake this service, I am disposed to think that the Deputy High Commissioner, Sir A. Cunynghame, would best fill the office.

13. As the Representative of this country on the Conference, I do not think it would be possible to find any person so highly qualified as Mr. Froude, to whose very eminent abilities and high reputation are added (most fortunately for all parties) an extended knowledge of and a strong interest in Colonial subjects, and who has recently given much attention to the affairs of South Africa. It has given me much pleasure to learn that Mr. Froude has decided to revisit the Cape, and is willing to take a part in these negotiations.

14. As Representative of the Western Province of the Cape, the name of Mr. Molteno obviously suggests itself. His position as First Minister renders him the proper exponent of the views of your Government, and I sincerely trust that he may be able to give the Conference the advantage of his great ability and knowledge. For the Eastern Province I should be disposed to think that an excellent Representative will be found in Mr. Patterson, of whose fitness for such a duty I have been led to form a high opinion. As regards these two gentlemen I do not wish to seem to dictate their appointment to this Conference, should, for any reason, other names be generally desired. My object is to secure the services in this most important question of public men who will truly understand and express the opinions of those communities which they represent; and I mention the names of Mr. Molteno and Mr. Patterson because I believe them, from ability and personal standing, to be such as I have indicated.

15. In the case of Natal I can have no hesitation in designating Mr. Shepstone, of whose high qualifications it would be superfluous to speak. Griqualand West also

needs a representative. On Mr. Southey's character and ability it is unnecessary that I should dwell. If his duties prevent him from serving on the Conference, or if it should not be in accordance with his wish to do so, Mr. Recorder Barry would appear to me to be very suitable. Failing both of these gentlemen, I should prefer to consider further before nominating a Representative of this Province. With regard to the representatives who may be selected on behalf of the Orange Free State and the Transvaal Republic, I do not, of course, venture to indicate an opinion. I do not doubt they will be chosen not only with regard to character and ability, but also to that conciliatory temper without which such a Conference as this which is now proposed can be of little public advantage.

16. It will, of course, be clearly understood that this Conference will meet to deliberate and report, but not to take any action upon the subjects which might come before it. I do not desire to suggest any close restriction of subjects, as it appears to me that it would be unadvisable to exclude any important question of common interest which the majority of the Commission may think it desirable to discuss. As I have already said, the more immediate benefit which I should look for would be some satisfactory understanding as to Native policy; but if, in the free exchange of communications between the representatives of the different States concerned, the all-important question of a possible union of South Africa in some form of confederation should arise, Her Majesty's Government will readily give their earnest and their favourable attention to any suggestions that may be made. Assuming, always, due regard to certain considerations of imperial and native policy, on which I should apprehend no serious conflict of opinion, this great object is one to the achievement of which Her Majesty's Government would be prepared to contribute their best and most cordial assistance. It is a measure which, in their opinion, would tend to develop the prosperity of South Africa, to sweep away many subjects of prolonged and unfruitful discussion, and to knit together the scattered communities of European race into a powerful and harmonious Union, valuable alike for the interests of themselves and of the whole Empire. I need only further observe, on this head, that I see no reason why, in the event of such a Confederation, the form of Government in each State or Province should necessarily be uniform or why the local Governments might not be conducted on different systems. All this would be matter for consideration and arrangement, should the general question be favourably received on the spot, and be then brought under the consideration of Her Majesty's Government.

I only desire to add—and there must be no misapprehension on this point—that the action of all parties, whether the British Colonies or the Dutch States, must be spontaneous and uncontrolled. It is a question for them to decide whether it is for their interests to enter into such an Union, and I desire to place no pressure on that decision.

17. It is my desire that, after considering this despatch in conjunction with your Ministers, you should send copies of it to the Presidents of the Republic, and to the Governments of Natal and Griqualand West, with a friendly invitation to take the subjects of it into their early and favourable consideration; and that you should endeavour to arrange for the opening of the Conference without delay. If, unfortunately, either of the Republics should hesitate to send a Representative, the President should be assured that, the object being purely friendly, there will be no desire to take advantage of the absence of a delegate from that State, but, on the contrary, it will be consulted at later stages. But I sincerely trust that the proposals which I am now making will be accepted in the spirit in which they are offered.

18. And while I am sanguine enough to hope that great practical results may be attained through this Conference, I feel that no small benefit will, in any case, accrue from the opportunity for unrestricted exchange of opinion and comparison of experience which it will afford; and it is not too much to expect that many difficulties which have arisen in a great degree from the want of a thorough mutual understanding will prove to have no real foundation, and will be effectually dispelled.

19. I request you to give the fullest publicity to this despatch without delay, as I desire that all to whom it is of interest should understand precisely what it is that Her Majesty's Government have in view.

I have, &c.
(Signed) CARNARVON.

No. 2.

The Earl of Carnarvon to Major-General Sir Garnet Wolseley.

Sir,

Downing Street, May 4, 1875.

I TRANSMIT to you, for your information, a copy of a despatch which I have addressed to Sir Henry Barkly,* apprising him of the proposal of Her Majesty's Government that a Conference of delegates representing the British Colonies and independent States in South Africa should meet at some place within the Cape Colony for the discussion of native policy and such other questions as may be brought before the Conference. I will only add that I shall be most happy to receive any observations which, on a perusal of this despatch, may occur to you.

It would seem convenient that you should not publish this despatch until it has been published by Sir Henry Barkly.

I have, &c.
(Signed) CARNARVON.

No. 3.

The Earl of Carnarvon to Major-General Sir Garnet Wolseley.

Sir,

Downing Street, May 13, 1875.

IT has occurred to me that you may possibly desire some explanation of the course which Her Majesty's Government at present desire that you should take with reference to the constitution of the Colony of Natal, as, without such explanation, you may be under the impression that my despatch to Sir H. Barkly of the 4th instant, in some way supersedes or varies the instructions given to you in my despatch of the 19th February.

This has not been my intention, because, as I informed you in the 5th paragraph of the despatch to which I have last referred, I continue to be of opinion that the suspension for a time of some part of the constitutional powers now vested in the Legislative Council of Natal is likely to conduce to, and not to impede, the attainment hereafter of the larger powers of Responsible Government.

It can hardly be anticipated that, if the principle should be agreed upon, the details of any scheme of Federation can be brought into such shape as to render possible the immediate completion of the general scheme. With Federation in contemplation, and, as a consequence of Federation, with the prospect of the earlier introduction of Responsible Government as a local institution in Natal, there would be additional reasons for desiring to take advantage of a period during which, through the Crown acquiring a firmer and wider control over public affairs, the Colony might be better prepared for the transition to Responsible Government.

It is therefore my opinion that, whilst Federation is an object of high importance of which you should not lose sight, and for the achievement of which you should not spare any effort, it would be very expedient to induce the Legislature to agree to surrender for the present a portion of its control over the affairs, or at all events the finance, of the Colony.

I have, &c.
(Signed) CARNARVON.

SOUTH AFRICA.

PROPOSAL for a Conference of Delegates from the
Colonies and States of South Africa.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. May 1875.*

LONDON:
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CORRESPONDENCE

RELATING TO THE

COLONIES AND STATES OF SOUTH AFRICA.

PART I. { CAPE OF GOOD HOPE
AND
GRIQUA-LAND WEST.



Presented to both Houses of Parliament by Command of Her Majesty.
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1876.

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Further Correspondence respecting the Affairs of Griqua-Land West and the Diamond Fields.

No. 1.

*Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received
January 11, 1875.)*

My Lord,

Government House, Cape Town, December 7, 1874.

I HAVE the honour to submit a Petition to the Queen, said to be signed by 2,265 of the inhabitants of Griqua-Land West, praying Her Majesty to appoint a Royal Commission to inquire into their grievances.

2. The Lieutenant-Governor, in his covering despatch, clearly describes the history and character of this Petition, and so ably analyses the several grounds of complaint put forward by the Petitioners, that I beg to refer your Lordship to the explanations therein given.

3. That he is justified in assuming that the discontent occasioned among the diggers by the low price of diamonds, and the floods, and other accidents which have happened to the principal mine, has been augmented by the determination of the Government to protect the native labourers from oppression, and artfully fomented by persons belonging to the neighbouring Republics, will be seen from the leading article which I extract from the "Diamond Field," the organ of the so-called Committee of Public Safety, which reached me simultaneously with Mr. Southey's despatch.

4. That article unhesitatingly attributes "the ruin of the whites to the servant having been elevated, in the name of Waterboer and England, to an equality, as regards the right to hold property, with his master;" loudly condemns the idea of "forcing the Province into an unhealthy union with the Cape Colony," on account of the native policy of the latter; and exults at the prospect, as it imagines, of "British rule not being maintained for any very long time."

5. I do not wish to accuse Messrs. Tucker, Bean, and others who have signed the Petition, of direct participation in these sentiments, but it is nevertheless distressing to see respectable gentlemen, of English origin, lending support to an agitation which is in reality based on unjust and disloyal designs.

6. Believing this I can in no wise recommend the prayer of the Petitioners to your Lordship's favourable consideration.

I have, &c.
(Signed) HENRY BARKLY,

Inclosure 1 in No. 1.

Sir,

*Lieutenant-Governor's Office, Kimberley,
November 26, 1864.*

I HAVE the honour to transmit a letter, in duplicate, addressed by Mr. G. T. Bean to the Right Honourable the Secretary of State for the Colonies, giving cover to a Petition to Her Majesty the Queen, signed, Mr. Bean says, by 2,265 of the white men resident in this country.

2. I caused the names attached to the Petition to be looked through, with a view to ascertain, if possible, how many of the persons signing were British subjects, and what number of them were licensed claim or stand holders.

3. The result of this examination shows that, as near as can be made out, about
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1,000 of the names are those of persons of Dutch descent, and supposed to be mostly subjects of the neighbouring independent States (the Orange Free State and the South African Republic), or of other foreigners; and that of the remaining 1,200, about one-third, or between 400 and 500 are those of persons holding mining claims or trading licences; very few, however, are persons of much political or social weight in the community. It was noticed that the names of several, and among them some of the leaders in getting up the Petition, such as Mr. Henry Tucker and his brother, Mr. Kidger Tucker, appeared twice,—first at the head of the list, and afterwards in other parts. Whether this was done intentionally in order to swell the number of signatures, or whether, as is not impossible, certain slips of paper on which persons had written their names for other purposes have been appropriated and attached to this Petition without the knowledge or consent of the persons interested, I am not in a position to say.

4. I ought, however, to mention, that after great exertions had been made to obtain signatures for many weeks, it was reported at one of the meetings of the Committee of Public Safety, with which Committee the Petition originated, that no more than 1,200 signatures had been obtained, at which Mr. Tucker, the Chairman, expressed much disappointment, and said it would be impossible to send on the Petition with less than 2,000 signatures, as they had always represented that more than that number of persons had invariably attended their “mass meetings.”

5. Upon this it was resolved to renew their exertions, to subscribe money, and employ paid agents to obtain more names; and it seems that after this, and in comparatively speaking a short space of time, 1,000 names were added to the 1,200, thus making the total number over 2,200.

6. An attempt to get a somewhat similar Petition signed was made some time previously, and although that Petition was not forwarded, it is believed that several hundred persons did sign it, and as it originated with and was promoted by the same political party, I am disposed to think that, having failed to obtain the 2,000 signatures—which were deemed to be the smallest number requisite—in the ordinary way, or that the ordinary way of procuring signatures to such documents being too expensive (Mr. Aylward, the most active among them, stated at one of their meetings that every 100 signatures cost 20*l.*), the signatures to the previous Petition may have been detached from it and attached to this one, which would account for the duplicate signatures. This, however, would not explain how names became attached to this Petition of persons who say they did not sign either; yet such appears to be the case, for Mr. William Edwards, a respectable inhabitant of this place, having heard that his name appeared to it, called at my office and requested to be allowed to see it, and finding the signature genuine, declared that it was attached to this Petition without his knowledge, as he never signed it or any other Petition against the Government. He had, he said, signed Petitions in favour of the early issue of titles to land, but this Petition he had on several occasions refused to sign when asked to do so. He afterwards wrote a letter to the Secretary to Government to the same effect, which letter I annex in original. The piece of paper on which this gentleman's name appears contains about forty other names.

7. The Petition was got up and sent round for signature about the middle of August, and on the 29th September it was reported at one of the meetings of the Committee in charge of it, that no more than 1,200 names had been obtained. It had thus taken about six weeks to procure that number at an alleged cost of 20*l.* per 100. At another meeting fourteen days later it was represented, however, that there were over 2,000 names; and seeing that, as I have before said, that on a casual glance over the names it was observed that several were in duplicate, I conclude that there had been a number attached to this Petition which were not originally intended for it.

8. I would not be understood to imply by these observations that dissatisfaction does not exist here, dissatisfaction undoubtedly exists and has existed, in a greater or less degree, ever since the mines were discovered, and a large number of persons congregated here bent upon making rapid fortunes by digging for or dealing in diamonds; and we must expect dissatisfaction with many things to last, and to be regulated in its intensity very much by the price of diamonds in the London market, as well as by occurrences here at the mines, which may tend to increase or diminish the value of “claims” and the expense of working them.

9. At a place such as this where many thousands of people have collected together engaged in one industry, and having no fixed property or permanent

residences, small matters affecting the one industry, if taken advantage of by a few active agitators, are easily magnified into matters of great importance, and the multitude persuaded that they are labouring under serious difficulties caused by the action, or want of action, of the Government.

10. An analysis of the grievances contained in this Petition, which to the minds of the Petitioners or to the promoters of it are of so serious a character as to justify them in praying Her Majesty to appoint a Royal Commission of Inquiry, with power to remove the Officers of the present Executive from office, and establish a less expensive form of Government will illustrate this.

11. The substance of the complaints are as follows:—

(1.) That the petitioners are dependent on diamond mining.

(2.) That while the mines were ruled over by the Government of the Orange Free State that Government maintained order at a small expense over a larger population.

(3.) That Griqua-Land West became a British Possession with a view to its incorporation with the Cape Colony.

(4.) That the Cape Parliament having refused to annex it in the face of disputed boundaries, Commissioners were appointed to administer the Government.

(5.) That discontent and disturbances arose owing to the Commissioners being restricted in passing mining measures.

(6.) That the discontent was allayed by promise of a Constitution similar to that of Natal.

(7.) That the Constitution was disapproved of and only a few persons registered themselves as electors.

(8.) That the permanent majority of the Executive has led to unnecessary taxation and interference with trade and property.

(9.) That the Government has not given a detailed statement of accounts.

(10.) That its policy is of a kind to bring British rule into disrepute and impede confederation.

(11.) That the people have been excited to antagonism by the Government refusing to receive deputations, and arming natives against them.

(12.) That the Government has not settled the land question.

(13.) That it has not issued titles to lands already occupied.

(14.) That law proceedings should be less costly.

(15.) That many thousands have been driven away by the want of judicious mining regulations.

(16.) That petitioners exhausted all constitutional measures to prevent the passing of the Mining Ordinance.

(17.) That they fear an increase of taxation.

(18.) That they appeal to Her Majesty, as this Government is inefficient and refuse to consider or redress grievances.

(19.) They therefore pray that Her Majesty may be pleased to appoint a Royal Commission to inquire into their grievances, with power to remove the Executive and establish a less expensive and more suitable form of Government.

12. Those under the first seven heads are merely historical, and apply to a period prior to the existence of the present Government, or to matters over which it had no control. I may, however, observe with regard to them that the Orange Free State Government exercised jurisdiction over but a very small extent of what is now Griqua-Land West (certainly some of the diamond mines were within that extent), and its jurisdiction lasted but a few months after the discovery of those mines; but its rule, such as it was, was far from "maintaining order:" the diggers, as a matter of fact, ruled themselves and the Free State officials too, and that is what some of them, and in particular the leaders of the present agitation, desire to go back to.

13. The system that was in force during the few months of Free State rule may have been less expensive than our present form of Government is, but there is ample room to doubt whether it would have continued to be so. Be that as it may, the comparison is not a fair one, for, as I have before observed, the portion of Griqua-Land West ruled over by the Free State was but of small extent, a mere corner indeed of what is now the Province, and that small extent was held and ruled over as a part of an extensive country and Government, and not as a separate and distinct Province. The petitioners do not say that the thousands of people that rushed to the mines were satisfied with or contented under the Free State rule, such as it was. They would scarcely venture to do that, and thought it perhaps

better to be silent rather than to say that their chief and perhaps only reason for preferring Free State rule at the mines to British rule is, that under the former coloured people were excluded from the privilege of becoming claimholders because of their colour, which is not the case under British rule; but even if a portion of the people at the mines have a predilection for Free State rule, the people of other parts of this Province have not, nor have the majority of the people of property and standing here.

14. It is disingenuous on the part of the framers of the petition to allege that discontent and disturbances arose owing to the Commissioners, who were appointed to administer the Government, "being restricted in passing mining measures." They ought candidly to have stated that the discontent and disturbances to which they refer, arose mainly from, or were the consequences of, the desire on the part of the white people to compel the Commissioners to enact exceptional laws, applicable to coloured people, which for a time the Commissioners resisted, though they at last yielded under pressure of tent burning, rioting, and other disturbances, and threatenings of a very serious character. Subjected to this pressure, and having no sufficient force to maintain order, two of the Commissioners, Messrs. Campbell and Giddy, issued a Proclamation, which Mr. Thompson, the third Commissioner, refused to sign, depriving all coloured persons of the claims then held by them, and providing that no licenses to dig should thereafter be issued to persons of colour, except under certificates to be issued by the Diggers' Committee, or a Board somewhat similar to that now demanded for like purposes by the persons who originated the petition which I now forward. This Proclamation was disallowed by your Excellency as soon as it came under your notice; but I do not remember that the Commissioners were interfered with by your Excellency in any respect, except to protect them from being driven into enacting class laws, by the prompt disallowance of the one referred to.

15. I do not remember the precise words used by your Excellency when promising to recommend that a Constitution should be granted, but I have no hesitation in saying that if greater power and control over Legislation had been placed in the hands of the people engaged in mining operations, who have no real property or fixed abodes in the country, the consequences would have, in all likelihood, been seriously injurious to the Province at large.

16. The number of persons who enregistered themselves as voters in the district of Kimberley is 1466, which is not a very small number to begin with. I do not know how many more qualified men there are: some no doubt did not enregister, because before being permitted to do so they were required to take the Oath of Allegiance to Her Majesty.

17. The allegations under the 8th head should be supported by particulars. I regard it as unfounded and incapable of proof; and with regard to that under the 9th head, all I can say is that the Government has published statements of accounts in the usual and prescribed form for the past year, and for the first three quarters of this year. I am not yet in a position to publish accounts for periods anterior to the establishment of the existing form of Government, but there can be no objection to making them public as soon as they are properly adjusted between this Government and that of the Cape Colony.

18. The assertion under the 10th head is mere matter of opinion, and until I am told what policy it is that is calculated to bring British rule into disrepute, I am not in a position to argue the point.

19. Instead of the people having been excited to antagonism by any act of the Government it would be more correct to say, that it is the gentlemen whose names are at the head of the Petition, who by their acts endeavour to excite antagonism to constituted authority, as may be seen by the annexed copy of reports of speeches made by them at public meetings.

20. The circumstances under which I decline to receive a so-called deputation in September last were reported by me in my despatch of the 5th of September of this year, and in the same despatch I reported that I had placed the coloured constables on duty inside the gaol on a particular occasion and for a special object. These coloured constables are especially enrolled for the special duty of guarding coloured convicts, and they are always armed when on duty.

21. I fully and freely admit that I have not settled the land questions, nor as yet issued titles to land except to building lots at Barkly. I hope to do both in due course, but the matter is too important to be hurried.

22. It may be that people have left here because in their opinion some of the

Mining Regulations were not "judicious," but unless I am told which of the regulations are so considered, it is impossible for me to offer explanations.

23. With reference to the assertion that the petitioners exhausted all constitutional means to prevent the passing of the Mining Ordinance by the Legislative Council, I am bound to say that there was no endeavour made by any party "to prevent the passing" of that measure. The Ordinance was introduced by me on the 10th March, and then read a first time, and put down for a second reading on the 19th. On that day—the 19th—a petition was presented, signed by 53 claimholders, expressive of approval of the principle of the Ordinance, but requesting a little time to consider the details. The second reading then passed, and the Ordinance was ordered to be committed on the 2nd of the following month, thus allowing a fortnight for consideration.

24. On the 26th March another petition was presented, which was signed by Mr. Ling, Mr. Tucker, and others of the leaders of the present movement, in which certain suggestions were made respecting a few of the clauses, and a delay of a week was allowed for the purpose of taking the sense of the claimholders individually.

25. The Ordinance remained in Committee until the 27th April, and was not finally passed until the 13th of May, but no other petitions were presented respecting it.

26. I annex copies of the two petitions referred to.

27. I consider the Ordinance to be a great improvement upon pre-existing laws, but still by no means perfect, and alterations will, no doubt, be made in it next Session.

28. The only point in the petition not yet referred to is that in which the petitioners say that law proceedings should be less costly. I should have no objection to this, but it is a matter beyond the control of the Government; if people will go to law and employ lawyers they cannot avoid paying their charges.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
Governor, &c., &c., &c., Cape Town.

Inclosure 2 in No. 1.

My Lord,

Kimberley, October 31, 1874.

I HAVE the honour to transmit, through the Government of Griqua-Land West, a Petition addressed to Her Majesty the Queen, signed by 2,265 of the white men resident in this territory.

I have, &c.

The Right Hon. the Secretary of State
for the Colonies.

(Signed) C. BEAN.

Inclosure 3 in No. 1.

To Her Most Gracious Majesty,—

By the Grace of God, of the United Kingdom of Great Britain and Ireland and the Colonies and Dependencies thereof in Europe, Asia, Africa, and America, and Australasia, Queen, Defender of the Faith, and so-forth.

The Petition of Her Majesty's Undersigned faithful subjects in the Province of Griqualand West:

Humbly sheweth,—

THAT your Majesty's humble Petitioners, residents in the territory of Griqua-Land West, South Africa, are especially dependent, directly or indirectly, on diamond-mining enterprise, and they are deeply interested in the good Government and general prosperity of the country.

2. That at the time when diamonds were discovered in this territory, the Orange Free State exercised sovereignty over those portions of it south of the Vaal River, which have since proved most richly diamondiferous, and under that

Government law and order were maintained at a comparatively small expense, although the population was then far greater than it is now.

3. That after the lapse of a few months the right of the Chief Waterboer to this portion of the territory was determined by Her Majesty's High Commissioner, who accepted a cession of that right, with a view to the incorporation of the whole of Waterboer's territory with the Cape Colony.

4. That the Cape Parliament, having refused to agree to the annexation of this territory to the Cape Colony in the face of disputed boundaries consequent on the ejection of Free State authority without resort being first had to arbitration, Commissioners were appointed to administer its affairs by Her Majesty's High Commissioner.

5. That owing to restrictive instructions from the High Commissioner, the Commissioners were unable to meet the public desire for the adoption of measures indispensable to the security of the mining interest, and great discontent prevailed which led, in some instances, to disturbance of the peace and destruction of property in the effort on the part of the people to check the stealing of diamonds by native servants and illicit diamond dealing.

6. That by the timely visit of Her Majesty's High Commissioner in August, 1872, and the public promise of the grant of a Constitution similar to that of Natal, for the future Government of this Province, discontent was in some degree allayed.

7. That the Constitution subsequently introduced, differing widely in its provisions for popular representation from that of Natal, a strong feeling of opposition to its adoption became manifest, and only a comparatively small number of the inhabitants could be induced to avail themselves of the franchise.

8. That the permanent majority provided to the Executive in the Legislature, and the insufficient and unequally apportioned representation of the people under the Constitution, has resulted disastrously, as burdens of taxation have been unnecessarily imposed upon the public, which they have been powerless to prevent, and measures of a despotic and arbitrary character have been adopted, which interfere with free trade and the rights of property.

9. That the Executive have failed to satisfy the public request for a detailed statement of revenue and expenditure, dating from the introduction of British authority, and have vetoed a motion for increased representation, brought forward in the Legislative Council by the two Members for Kimberley.

10. That the general policy of the local Government is of a character to bring British rule into disrepute with, and to impede the confederation of, South African States,—a scheme which has met with the approval of Her Majesty's Government.

11. That the refusal of the Executive to receive a deputation from the Committee appointed by a mass meeting of the 15th August last, to confer with Government on the redress of grievances complained of, and the attempt to overawe and intimidate your Petitioners on the occasion of a subsequent mass meeting held on the 29th August, by arming a number of natives, have tended to excite the people to antagonism with the Government; and your Petitioners believe that peace has hitherto been maintained by the innate loyalty of the people to your Majesty's Person and Government, and not by respect inspired by the officials administering the Government here.

12. That the Government has failed in its duty of bringing to an equitable settlement questions and disputes affecting land in this territory, and of introducing measures for promoting the occupation of waste lands, whereby the resources of the country have remained entirely undeveloped since the assumption of British rule.

13. That dissatisfaction prevails among the farming population at the neglect of Government to take steps to legalize titles originating previous to the proclamation of British rule, and which had long been recognized by custom, usage, and authority; the consequent insecurity of tenure being severely felt by many who have spent years of labour in improving property now threatened with confiscation.

14. That the adjudication of cases in the Law Courts should, in the opinion of your Petitioners, be made less costly, and be placed beyond the appearance of undue and unconstitutional interference on the part of the Executive.

15. That through the incapacity or unwillingness of the Government to establish judicious mining regulations, and in the absence of measures for the

protection of the diggers, whose hard-earned property consequently finds its way through dishonest servants into the hands of a class of illicit diamond buyers, many thousands of persons have been driven from these Fields.

16. That your Petitioners, by the representations of their Diggers' Committees, by public meetings and by petitions, have vainly exhausted all constitutional means to prevent the passing of the Mining Ordinance, the operation of which has seriously depressed the value of mining and other property, and has increased the difficulties of mining operations.

17. That with a diminishing population crime and taxation increase abnormally, and your Petitioners, whilst having no reason to expect any improvement in the wealth or prosperity of the Colony, have much cause to fear that the present unbearable burdens of taxation are more likely to be increased than otherwise, especially as the representative institutions conferred practically result in the uncontrolled rule of the Executive, who evince no disposition to curtail expenditure, which is already vastly disproportionate to the resources of the Province or to the number of its inhabitants.

18. That so grave and manifold are the evils under which your Petitioners labour, brought about by an inefficient Executive and unsuitable institutions, and so general is the discontent induced by the contemptuous refusals of the local Government to consider or redress the grievances of the people, that your Petitioners feel that they have no constitutional course open to them but an appeal to Your Most Gracious Majesty in Council.

19. Wherefore, in consequence of the urgent necessity for the immediate removal of the evils under which your Majesty's Petitioners suffer, your Petitioners humbly pray that your Majesty may be graciously pleased, at as early a date as may be found convenient, to appoint a Royal Commission to inquire into these complaints, with full power to remove the present Executive from office, and to establish a less expensive and more suitable form of Government, and to do all necessary acts and deeds for the prompt redress of the grievances complained of; and to give such other and further relief in the premises as to your Majesty may seem fit.

And your Petitioners, &c.

(Signed) HENRY TUCKER,
*Chairman of Committee appointed by Mass Meeting
 to draw up the Petition.*
 (And about 2,264 others.)

Inclosure 4 in No. 1.

Sir,

Kimberley, November 24, 1874.

WITH reference to our conversation yesterday in regard to my signature being affixed to a Petition against the Government, I feel convinced, after full consideration, that I never, with my consent or knowledge, signed the same; and I am unable to account by what means the sheet containing my signature came to be pasted on to the above Petition; as I remember on several occasions refusing to sign the same, at same time giving my reasons for doing so in presence of parties here present. Mr. Powell for one was present on two occasions.

John B. Currey, Esq.,
 Secretary to Government.

I have, &c.
 (Signed) WM. EDWARDS.

Inclosure 5 in No. 1.

Extract from the "Diamond Field" Newspaper of November 11, 1874.

THE MASS MEETING.—On Saturday last, at 5 o'clock p.m., in front of the Occidental Hall, Market Square, the Chairman, speakers, and principal supporters mounted the platform. The proceedings were at once commenced. Mr. Henry Tucker, as Chairman, was greeted with prolonged cheering, and referred to the meeting of the previous Thursday having taken place in spite of most boisterous weather. The clouds of dust and the wind preventing any open air proceedings, on an adjournment to the Occidental Hall, there was not sufficient room for a portion of the assemblage, when it was agreed to adjourn to this day. The Chairman

said : We don't want it to be said that our Resolutions have no weight—that they are carried by a number of persons in a not very large room. It will be requisite for the information of the present attendance that I read to you the Report of the Committee of Public Safety, which was submitted and adopted on Thursday last (see “Diamond Field,” Saturday, November 7th), in order that our proceedings may be the more regular and the more thoroughly understood, and it will besides give any persons present the opportunity of speaking upon it and voting either for or against its adoption by the present meeting. And let me give you to understand emphatically that we do not desire on this or on any similar occasion any one-sided expressions of opinion. This platform is freely open to any speaker holding views entirely at variance with our own, and there will be no opposition to a fair hearing (hear, hear). This a meeting of very great importance, and the proceedings will embrace matters of much public interest. Let us, therefore, have your conscientious views upon these proceedings (hear, hear). The Chairman then read the Report, being frequently interrupted with cheers and expressions of approbation. At the conclusion further cheers were given for the Chairman.

Mr. T. B. Brooks.—I have much pleasure in proposing the following Resolution :—“That the Report of the Committee of Public Safety be adopted, and that the thanks of the community be accorded to that body for the able manner in which it has carried out the duties committed to it at the meetings of the 15th and 29th of August.” *Mr. Chairman and Gentlemen:* It is with mingled feelings of pleasure and regret that I respond to your invitation to move the adoption of the Report of the Committee of Public Safety. I exceedingly regret the necessity of such a Report and such a meeting as the present. But as the necessity exists I glory in such a Report, and thoroughly recommend its adoption to this large and influential meeting. Gentlemen, our position to-day, assembled as we are and demanding our rights, is by no means anomalous, but finds a parallel in every civilized country in the world. But I am bound to affirm that the indifference of the Government to relieve our burdens, and its refusal even to listen to our grievances, is without a precedent in British rule, and derogatory to the liberty, the honour, and the glory of the British flag. In the great American struggle for independence, you will remember that the motto which the illustrious Lawrence had written on his banner and endorsed with his dying breath was, “Don't give up the ship.” But, gentlemen, the ship in which this brave patriot held his commission and exercised his command was worthy of his confidence, his attachment, and his dying utterance. I wish from the bottom of my soul I could so commend this ill-advised Government to you, and say with him, “Don't give up the ship.” But this is impossible. Necessity compels me to reverse the motto, to endorse the action adopted by your Committee, and advise by every means in your power to get rid of the ship as speedily as possible. The course which is open for your adoption is similar to that adopted by Sir Robert Peel towards his once attached Secretary. This gentleman had acquired the habit of being always late, and when once remonstrated with, he immediately referred to his watch, which, like himself, was always half-an-hour behind time. At length Sir Robert said to him, “Well, you must either get a new watch, or I must get a new Secretary.” And what we require is, either a different mode of treatment, or a different kind of Government. The obstinacy of the Government has compelled an appeal to Her Gracious Majesty Queen Victoria; and your petition, with its thousands of signatures, is now on its way towards its destination, where a different fate awaits it to that which met the deputation you sent to your Lieutenant-Governor. But, pending Her Majesty's reply, is there no immediate relief to our intolerable burdens? I reply there is, and that remedy is in your own hands, and requires nothing but united passive resistance to the recent taxing Ordinances. For instance, we who are claimholders have only to say, “Suspend the obnoxious Mining Ordinance, and make the Surveyor responsible to the Mining Board, or we will pay no taxes.” We who are licensed diamond buyers and brokers must stand up and say, “give us the latitude we bargained for when we paid our licences, or we must resist your enactments.” Our licensed victuallers must take a similar stand, and this course of action must extend from class to class, until it permeates the whole of the present depressed community. I need only remind you of the fable of the old man and the bundle of sticks. Unity is the bond of strength. But, gentlemen, we must be united; we must be persistent; we must be firm; we must be true—true to ourselves, true to each other, true to our cause. Stand up like men, and then success will be the crown of our rejoicing, and the trial of the contest will be ended. I feel it a great honour to move this Resolution. (Cheers.)

Mr. John Cundill came forward to second the Resolution.—*Mr. Chairman* and gentlemen: Any gentleman who was present in this country five years ago will agree with me that at that time our general rights were respected. (Cheers.) Now, what have we to submit to? Not a class of the community but what is burdened and over-taxed. (Hear, hear.) Whether you look to the licensed victuallers, the brokers, or the diggers, it is all the same. God forbid that any other community should have such a damnable form of Government as this, to the disgrace and injury of the British name. ("Shame; we won't have it.") I now second the Resolution. (Cheers.)

The Chairman.—As I said before, we do not want any discussion on one side only. If any person desires to address the meeting on this Resolution, there is plenty of room for him here, and he will have a respectful hearing. I beg only of those persons favourable to this Resolution, to hold up their hands, so that we may have a fair expression of opinion. I now put the Resolution (cheers, and cries of every one).

The Resolution was put and carried, amid really English cheering.

Mr. E. F. Burns, diamond broker.—*Mr. Chairman* and Gentlemen, when Lord Clyde was Commander of the British Forces during the Indian Mutiny, there was an insurrection among the Sepoys, and the regulars were attacked, what were his words? "Steady men, steady! close up the ranks, and bayonet them as they come on!" and the same words would be applicable in our present proceedings. We have determined to constitutionally resist any encroachment on our rights and privileges, and as the enemy comes on to the attack we are pledged to support one another, and say, "Steady boys, steady! close up, and bayonet them as they come on!" (Resolution read: "That the Ordinance No. 21, known as the Ordinance for the better regulating the Trade in Diamonds, published on the 5th instant, cannot and ought not to be enforced, and that this meeting declines to be bound by its provisions.") I myself have the honour to represent the diamond brokers; and, though I say it, a more respectable class of the community does not exist. The so-called Kopje-wallopers are equally respectable. And this oppressive Diamond Ordinance we are determined to resist. I now propose the Resolution.

Dr. Schmidt advanced to second the resolution. I am an old experienced digger of four years' residence on these fields, and I protest against the oppression of this Diamond Buying Ordinance. I, for one, decline to be bound by it, or to regard its enactments. I have broken the law to-day. (Cheers.) I boldly say, in the face of this vast assemblage, that I have deliberately broken and defied the law. (Cheers.) I have sold diamonds at my sorting-table to-day, and I intend to continue doing so. (Cheers.) I find I get a better price there than I do at the buying-offices, where they sometimes think that diggers are obliged to sell for what price they offer. (Hear, hear.) That diamond buyers should have to pay a yearly licence of 50*l.* and brokers 25*l.*, is to them unbearable. But upon whom do these taxes actually fall? They come out of the digger's pocket, and not out of either the dealer or the broker. (Hear, hear.) Under these circumstances, I say that if I, or any digger, or any diamond buyer or broker goes into that gaol for disputing and acting in defiance of the Ordinance, it is the duty of the community to be prepared to get him out. (Cheers. "That's right; we will do so.") I now second the resolution. (Cheers.)

The Chairman.—Does any gentleman present wish to make any remarks upon this resolution? (No response.) Gentlemen, I deliberately say, that, as Chairman of this meeting, I entirely endorse the remarks of the last speaker. (Cheers.) The previous speaker has asked if any one of us, through the breaking of this Diamond Buying Ordinance, should get into that gaol, what should we do? ("Have him out.") Yes, and within an hour. (He shall.) Are there not crimes sufficient existing without concocting Ordinances to assist the further manufacture of fresh crimes? (Cheers.) These legal impediments to trade are so many roads to evil and we are opposed to such wrong. What is right on the 5th of this month shall be right on the 6th. As Chairman, I distinctly tell you I, for one, will not submit to that law. (Cheers.) I will not succumb to its iniquitous provisions. Are diamonds contraband? (No! cheers.) Then why restrict the trade in them to the monopoly of certain monied classes? There has been a great deal of talk about guns and gunpowder. (Cheers.) Let the Government take less care about their guns and gunpowder, and manifest more anxiety about the proper trade in diamonds. (Cheers.) More than one of these influential diamond buyers has been heard to say that he would more gladly pay a licence to buy diamonds of 500*l.* than 50*l.* We all know what that means. (Hear, hear.) It means the destruction of the small

dealers (hear, hear), the absence of wholesome competition in the trade, and then it will not pay to dig. (Hear, hear.) This will lead to the diggers having to beat a retreat, and to the monopoly of that mine. (Hear, hear.) If the Government do, and I do not think they really do wish to drive away the people of these fields, they could not adopt more likely means to effect their object. If such, however, is not their object, then their measures are acting contrary to their intentions, and they must be the veriest set of fools in existence. I care not on which horn of the dilemma they are hung. Now I ask of those, and those only who are determined to stand by this Resolution, and are determined to resist such improper legislation, to hold up their right hands—(cheers, and unanimous show of hands). Now those against—(cheers, and cries of “hiconal!”)—Carried unanimously.

Mr. G. R. Blanch, who was received with cheers, moved the next Resolution—“That the interests of the country have suffered from the extravagant and inefficient administration of its affairs since the removal of Free State authority, which, in the opinion of this meeting, was wrongfully compelled to withdraw from this territory:” and said—

The time being short I must speak as briefly as possible on this subject. In discussing the subject of the right of any country to claim territory with the Secretary of State some years ago, the Colonial Attorney-General stated that there were three titles, namely, cession, occupation, and conquest, either one of which would give a Government right to the country. This was stated, I believe, by one of the first lawyers of the Colony, Mr. William Porter, and I assume his statement to be correct. I will prove that, not only by one but by all three titles, this country belonged properly to the Free State:—

1. By cession.

The British Government, through its Agent, Sir George Clark, ceded the Orange River Sovereignty to the Boers; this country was part of it; British titles having been issued by Major Warden for some of the farms.

2. By occupation.

The Dutch farmers have lived for years on these farms, as their very names prove; such as “De Beer’s,” “Du Toit’s Pan,” and have paid taxes to the Free State.

3. By conquest

There was actually nobody here to be conquered, but in 1857 a marauding Griqua Chief, named Scheel Jacobus, who had made several raids into the Transvaal and Orange Free State, was attacked by their forces and killed, his tribe broken up, and 3,000 head of cattle taken. The bones of some of his people may yet be seen at “Bushman’s Kop.” If this country belonged to Mr. Waterboer, or Captain Waterboer, or His Majesty King Waterboer, of whom I wish to speak with the greatest respect, as he is the intimate friend and favourite of Her Majesty’s Representative here (laughter and cheers), why did not he either punish Scheel Jacobus himself, or resent the intrusion of Free State and Transvaal commandoes into his territories (hear, hear.)

Thus by all three titles the country belonged to the Free State, and I consider it as disgraceful for a powerful Government to take away territory from a weak one, as for a highway robber to take away from a weaker man his purse. There might, however, have been some excuse for the English Government if they had intended to substitute a good Government for a bad man, but exactly the reverse has been the case. From the day the English flag was hoisted, even within twenty-four hours, a change was discernible in the behaviour of the natives, and drunkenness, debauchery, insolence, and diamond stealing commenced, and crime generally has increased; and the Government here had done nothing to check it. Except to put down gambling they have not brought forward a single measure for the general benefit of the community. Men or Governments can leave their marks for good or evil behind them. At the falls of the Zambezi some years ago, there were some Dutch traders and an English trader, and the former felt great jealousy towards him, and poisoned the minds of the natives against him, so that they would not give him assistance to take his goods to the river, or allow him to cross himself. While sitting lonely and disconsolate at his waggon a thought struck him. He remembered that Livingstone had been there about a year or two previously, and he told the native chief that he was of the same nation as Livingstone, and that name acted like a talisman and changed enmity into friendship, and he got all the assistance he required and sold all his goods. But why was it that Livingstone was so well thought of and remembered even by savages? Because he always acted with fairness and honour, and, with utter unselfishness, persevered in doing

his duty. But what a contrast his conduct is to that of the officials here. What mark would they leave if they were to go to-morrow? who would bid them "God speed?" for who have they benefited save the native thieves and the stolen diamond buyers? (cheers). Frequently in the interior, when, with my horse and gun as companion, I have ridden through the beautiful hills and vales of Central Africa I have asked myself whether it could be possible that such a magnificent country could be intended merely for the haunts of wild beasts, and the dwelling-place of a few straggling savages, and all nature seemed to answer "No." The time will come when thousands of people who are half-starving in England will here find comfortable homes, and I hoped that I might some day see the British flag waving from Cape Town to the Zambezi over a general confederation of African States; and when I saw the Tatin Goldfields, and heard of the Diamond Fields and the Transvaal Gold reefs and immense mineral resources, I thought that they would be the means of populating the country and spreading British institutions throughout Africa. I charge the Government here with a crime against mankind, for their conduct has delayed and opposed it. If they had acted fairly and justly here, people would have asked for the English Government to come to them instead of their acquiring territory by means of fraud and violence. It is a bitter thing for me, as an Englishman, to have to say, but what man leaving here would not consider it his duty to oppose the spread of such a Government as this by all the means in his power? Better by far to live under the Free State, the Transvaal, or even a Kafir Government, than such an one as this. The officials sit in the Governments offices, considering apparently not what is good for the community, but how to impose taxes so as to get their salaries paid. (Cheers.) I now propose this Resolution.

Mr. Ling seconded the Resolution, and said:

Mr. Chairman and Gentlemen, I feel deeply on this subject, and would much like to make a few remarks on the proposition which has been so ably proposed, but as the time is getting very low, and I am aware there are several very important subjects still to be brought before you, I will content myself by saying that the Resolution has my most entire approval. I beg to second the proposition which the Chairman put, and it was carried unanimously, amid such an expression of popular feeling as went to show that President Brand would, if he returned to the possession of the dry diggings, be welcomed by many more than the 1,000 men of "Mining Gazette" notoriety.

Mr. Jamieson proposed the next Resolution:

That this meeting protest against Government attempting to involve the country in debt by borrowing money, and resolves to do its utmost to prevent such a forestalling of our future welfare, which, in the face of the generally-accepted opinion that the removal of the present Government is imminent, is a most improper use of authority.

The Government had hit upon the not very novel idea of borrowing money. All the cash has been spent in trying to bring us into order, and the funds at present being exceedingly low, the small sum of 25,000*l.*, on the security of the diggers of Kimberley (loud laughter) and almost nothing else, is modestly asked for, but there are very few likely to invest, and the reply to their propositions to borrow will very likely be—*Hicono!* (Laughter.) The righteous maxim of a proper government is the greatest good to the greatest number. We can't say that of this sort of Government. This sort of Government legislates for the State, and not much for the people. The way we are taxed is a caution, I might say, to snakes. (Laughter.) However our meeting in mass appears to have done some good. Before the first meeting Ordinance after Ordinance was being passed. After the first mass meeting there was a stop to it, and the Legislative Council closed its doors. You, gentlemen, are now asked to vote on the Resolution I have just read. Do it, like everything else we ask you to do, thoroughly. The idea, with this small population to govern, to want to borrow 25,000*l.*, and the taxes, as I said at a former meeting, to come almost all out of our four diamond mines—in fact, it is coming down to only one mine, is absurd. If you were to calculate you would find the amount of taxation we bear in proportion to our number something stupendous. We thoroughly protest against any more taxation, and any more borrowing. (Hear, hear.) Government is in a fix now to raise a revenue, and tries to raise it on the land—the country of the Baralongs and the Batlapins. With only 5,000 people here, instead of legislating on the principle of a coat for a man, the Government taxes every man for the coat. I now propose the Resolution. (Cheers.)

Mr. K. Tucker seconded the Resolution, and said that he did not know that there was any necessity for such a Resolution. It did not appear likely that the Government would succeed in borrowing this or any other sum of money, for people at a distance had no more confidence in the Government than people on the spot. He believed that the Government would have to search far and wide, and would not get the money until they met with a community of lunatics with plenty of money in their pockets. It seemed to him that the Government had mistaken its vocation, it appeared to look upon the people as being here for the benefit of the Government, while he thought the Government should be for the benefit of the people. (Cheers.) The Chairman remarked in putting the Resolution if that were the case, he hoped the Government would soon find "its vocation gone." (Great laughter and cheers.)

Dr. Aylward advanced amidst cheering. Mr. Chairman and Gentlemen, this document which I have now to submit to you will be known in the future as the cat-o'-nine-tails. (Laughter.) It contains nine demands upon the Government, the concession of every one of which I myself have made up my mind to obtain. This Bill of Concessions, as it is called, does not emanate from the Committee of Public Safety, but from a number of gentlemen who, having the interests of this community much at heart, met together to consider what concessions ought to be demanded in our present perilous and unsatisfactory position. You are asked to make up your mind whether you will demand these concessions. I know of 500 able-bodied men who are determined to have them, and I asked now what you are determined to do? (Cheers.) I beg of you in the name of Heaven not to hold up your hands to anything you are not thoroughly determined on having. I implore you not to mislead us. If there is one paragraph or sentence you disagree with in this Bill, or that you wish struck out, come forward and say so. (Dr. Aylward then read Clause 1 of the Bill of Concessions.) This clause speaks for itself. There can be reckoned nothing unfair in proposing to Government that diamond diggers and dealers—for we include both—should be placed under a similar licensing board system to that which prevails as regards canteens. This would have the effect of class legislation, though it is not class legislation. It gives Government the means of slipping through a difficulty. It provides a loophole of escape for them, so that they will not be accused of flying in the face of the British Constitution, because it permits them to eliminate all improper persons from holding those privileges. I need not describe those persons or their "colour." (Hear, hear.)

Clause No. 3.—There is no possible doubt but that the miners should have control over the mine. The Government have hitherto refused, and shut the doors in the doors in the face of conciliation, but we are willing to give them an opportunity even now at the eleventh hour, I might almost say the twelfth, of doing this without any degradation of their own dignity. We recommence once more, for the last time, a course of conciliation, and trust they will be induced to listen to our respectful petition, and grant our concessions, for obvious reasons (waving his hands over the multitude significantly. Loud cheering).

Clause No. 4.—With reference to this there can be no mistake. It is a right no provisions of any Legislative Council can take away. No constitution in the world can alienate it. It is the inherent right of every free-born British subject. It is the primary principle of the British Constitution, under which we were born, that every man who is taxed, or has to subsidies to a Government, shall have a voice in the control of that taxation or that subsidy. This has been demanded from the Government at meeting after meeting. Resolution after resolution has been framed approving of the demand for those estimates, and even in the Legislative Council a fruitless application has been made for a detailed account of revenue and expenditure, which we now insist upon in one of the clauses of the Bill of Concessions I hold in my hand. It may be said it is useless to apply again, but we do not think the head of the Government is opposed to concessions. We do not wish to ask for more than we have good reason to expect they are willing to concede, or more than they ought reasonably to be thought to be willing to concede. A Constitution which pretends to take from the people their inalienable right to control their taxation and expenditure is a mockery contrary to the eternal principles of right and justice. I do not believe all these enactments and resistances to the popular will are blameable upon his Excellency the Lieutenant-Governor Southey, but I do believe there are enemies to the people, unfit and improper persons permitted to be about the person of Her Majesty's Representative, who are permitted to take part in his councils and to sway them against the interests and wishes of

the people, against the just rights and privileges of Her Majesty's subjects. His Excellency will see that it is now a fitting time for him to set aside those meddling and injudicious counsellors, and to prove that he is really the paternal and good Governor we believed him to be when we first welcomed him here (pointing to the south. Loud cheering.)

Clause No. 5.—There is no doubt that the mine is the main source of wealth of the whole population. Without the miners, storekeepers, diamond buyers, brokers, and, in fact, every class would suffer to a great extent. It is therefore, obvious to every person that the cost of removing the water and reef from the mine should be a charge on the general revenue, and not, as at present, on the miners only. I have myself personally conferred with storekeepers and merchants, rich men and poor men, men of respectability and men of straw, and there is not one of them who did not agree with me that, for the general welfare of this community, the mines—the sole source of the only prosperity we now or ever did enjoy—should be kept in repair and in proper working condition at the expense of the general revenue, every shilling of which is derived from it. This is what they say:—Although we object to excessive taxation, we would be gladly taxed if the amount of our prosperity were increased by the judicious expenditure of any portion of that taxation (Cheers). We would willingly bear taxation if that mine (pointing to Colesberg Kopje) and the other mines of the Dry Diggings had a fair share of the public expenditure of public money. We have heard of plenty of waste in connection with the lands of the country. They are held up before the eyes of the public as of primary importance. What have we derived from them? What have we gained from them? The lands have as yet not been of the slightest benefit to this community. They have been a source of expense, and have not yielded a single carrot (Laughter and cheers). The land question has been a prolific source of turmoil and ill-temper, for which they have given no equivalent to the general revenue (Cheers).

Clause No. 6.—Why this Resolution must be inserted I need hardly inform you; the reason is evident. The punishments up to the present have failed to deter the illicit diamond buyers from carrying on with perfect impunity their nefarious transactions. We do not want punishment of an objectionable nature. We object to the lash as degrading to the white man. But we do say we want an alteration in the law which will prevent men from easily condoning their crimes by the payment of a small portion of their profits. I myself knew a man who quitted the territory with 6,000*l.* after paying his 100*l.* fine. This he could easily afford to do (a member of the Vigilance Committee from the crowd: "He was not the only one"). There are some of them who have not gone away yet (Laughter. At this several well-known faces in the crowd reddened up with blushes). There is at present legal provision for the magistrate who tries offenders in the illicit diamond line, to sentence them either to banishment, or confiscation, or imprisonment with flogging. We do not want this. We require banishment and confiscation of all property; but we wish there should be no alternative. If you do not agree to this do not hold up your hands for it. But if you are determined that this shall be one of the concessions hold them up, and deliberately, with the full meaning and intent that you were ready to enforce what you permit us this day to demand.

Clause No. 7.—This clause is intended to prohibit the registration of servants to any other than white persons. A remarkably loose system of registration has hitherto prevailed with reference to the granting of passes to persons who should never have got them. There are at least 800 savages in this camp registered to other persons of indifferent character and similar colour, apparently for sorting débris. Their brothers and their friends, and occasionally themselves, are working in our claims, and the débris-sorting gentlemen naturally find well. The "Diamond News" of this morning led us to believe that Government was willing to concessionize. This is a perfectly reasonable concession that we want. We will test them now, and you will support us (cheers).

Clause No. 8.—The matter of the 25,000*l.* has been already dealt with by a previous Resolution. I will only say, regarding it, that the Government has no right whatever to forestall our prosperity—to raise money upon the security of our mines—on the improvements we have made in this place in the face of our unanimous protest. It is of still graver importance that you should determinedly declare that you will not permit the iniquitous taxing measures of the late Session to be enforced. The Licensed Victuallers, as a body, are dealt with unfairly. You all know well that I am in favour of restriction, and in the trade in liquors being compelled to be carried on in a proper and legitimate manner. But it is monstrous

that this trade must be destroyed by being plundered to the extent of 80% per annum. Contrast this with the taxation of the same trade under the Free State. Then 40% per annum entitled a man to have a license. We must protect the interests of a licensed victualler as strenuously as we would those of a digger. We must not permit any class to be persecuted. Even the Good Templars themselves will protest against the attempt to persecute a class which contains so many respectable men, and which has as good a right to be permitted to earn its daily bread free from oppressive Government interference as any other class. Such oppressive legislation tends to increase smuggling and crime, will destroy legitimate trade, and place those who are willing to pay no taxes at all in a position to sell right and left to improper persons, thereby ruining the legitimate and well disposed licensed victuallers. You must consider that the people, having petitioned Her Majesty in Council to remove from this people the oppressive Executive, of whose acts they have complained, it is not unreasonable for us now to come forward and request of the Government the suspension of the arbitrary taxing Ordinance framed in the late Council, and against which we had protested.

Clause No. 9.—This, Gentlemen, is a matter of grave importance. It is a concession which we have been requested by a deputation of farmers in the district to insist upon. This land question has already produced bitterness of spirit, contention, anger, and hatred. It has been the cause of one official, the first Member of the first Land Commission, being deprived of his office (*pointing northwards*). Already there are men in that gaol at Barkly through this wretched Land Question. At the present time, with reference to the Griqua-Land claims, a Commission is in existence in which the names of David Arnot and Nicholas Waterboer figure. They have land interest themselves. It would be just as practicable and quite as honest to put two wolves to legislate for a flock of sheep, as those two gentlemen, men of the highest respectability, to settle the land claims of Griqua-Land West. What we want in this matter is a fair and straightforward manly English way of doing business. We want civilians who have no interest in the land, directly or indirectly, appointed on those Commissions. It is unfair that men should be on those Commissions who, having extensive claims to land themselves, have to adjudicate upon the claims of others with whom they are disputing possession or title. But by granting the concessions proposed by this meeting, and for which I hope you will not hold up your hands unless you are determined to have them, Government will avail themselves of the only way to settle this much-wrangled-over question, so important to all those who have claims to land. With this I leave the cat-o'-nine tails in your hands, Mr. Chairman and Gentlemen, to lash the Government with until they are conceded. (Cheers).

Bill of Concession.

Resolved.—That considering the grave and manifold evils under which this community is labouring, the following Concessions be requested at the hands of Government, pending receipt of reply to the people's Petition to Her Majesty in Council:—

1. That all new licenses and miners' certificates shall issue and renew only from a Licensing Board, to be elected for that especial purpose. Such board only to have the power of refusing any application for a licence or renewal in the event of a clear majority of four-fifths of the Board declining to grant the same.

2. The suspension of Ordinance No. 21, "For the better Regulation of the Trade of Diamonds."

The suspension of Ordinance No. 10, "The Mining Ordinance," which is generally believed to have been disallowed by the Home Government, and the construction by claimowners of an elective Board of Control for each mine. Each such Board to have full and entire control of its own mine.

4. Publication of a detailed statement of revenue and expenditure from the first occupation of the Dry Diggings to the 1st October last.

5. That the great expenses necessary for the removal of water, reef, and rubbish from the mines, be a charge on the general revenue of the territory, or else, that all moneys derived by Government directly from the mines, be—less expense of collection—for the future, placed at the disposal of the claimholders for the use of the mines.

6. That the penalties for stealing diamonds and illicit diamond buying be made more severe, including—but without any alternative for the latter crime—confiscation of property and expulsion from the territory.

7. That in consequence of the past system having failed in its operation to secure the benefits expected from it, Government pass a stringent Vagrant Act, and

prohibit the registration of servants for mining or débris-sorting purposes to other than white persons.

8. That, the people having petitioned Her Majesty the Queen to remove the present Government, the Executive withdraw the advertisement for a loan of 25,000*l.*; and that the operation of the Ordinance authorizing the raising of such loan be suspended; and that no taxing Ordinance of the late Session of the Legislative Council, or new taxing measure, be either brought forward or enforced, pending the receipt of the reply to the petition to the Queen in Council.

9. That his Excellency the Lieutenant-Governor remove from any land commissions now in existence in this territory, the names or name of any person or persons claiming for themselves or others land titles in so-called Griqua-Land West, and shall only appoint to such commissions persons who shall previously make declarations that they have no present or prospective interest in any land or claims to land, whether ascertained or disputed, in this territory.

Mr. F. English, in rising to second Dr. Aylward's Resolution, said: Mr. Chairman and Gentlemen,—I have much pleasure in seconding the Resolution Dr. Aylward has called the “cat o'-nine tails.” I hope they will not merit the name. The Concessions have been drawn up in respectful but firm terms. I do not think anyone can, even Government officials, safely say they are impossible or disrespectful. We have determined that Government should have fair play, and have the opportunity of granting or refusing our demands, and of giving their reasons for any course they may adopt. The Government and people of Kimberley are now on their trial. I say people, because these concessions are not the work of the Committee of Safety alone, and because they will only go to the Government if you adopt them by voting for them. I will tell you who will judge between us, not only the whole of South Africa, but also England. We are only asking a paternal Government to do us justice. If, in asking, we are not quite so humble as we might be, it must be remembered that a gift long waited for, is bought, not given. Any concessions which Government may give us, we have bought and paid for very dearly. For some time past I have contemplated selling out on account of the tremendous increase in taxation and theft, but before allowing myself to be driven away, I have determined to make a strong effort to root out those evils which, if we do not root out, will root us out. We are being driven from these Fields by two or three men who are misrepresenting the state of things to the Governor. I will only touch the concession relating to diamond stealing, &c. We have been told that we can't have class legislation. This is wrong. We have class legislation only it is not carried quite far enough. No native can go into a canteen and get a “soupje,” unless he has a “briefje” from his master; no native can be in the camp without a pass; and yet we are told we can't have class legislation (a Voice: “Besides this, no native can hold a canteen”). Gentlemen, Dr. Aylward has given you many cogent reasons why we should have class legislation, but he has omitted one which ought to weigh greatly with a Government whose friends and supporters have so often complimented it upon its paternal regard for and protection of the natives. It will protect the simple, weak, and easily-tempted native from his worst enemy—the unscrupulous, villainous white scoundrel, who uses the black, who but for him might be honest, for his shield and covering, from behind which he robs us with impunity, for the blows fall upon his stalking-horse and not upon himself. The police officers will bear testimony to the truth of this. I am opposed to the pass system as now carried out. A couple of weeks ago, when down at the Registration-office, I saw a swell nigger come in and ask to have five other swells registered to him. The Registrar asked to see his licence. My gentleman pulled out a Débris license, upon which the five were registered to himself as servants at 10*s.* per week. I have often stopped swell niggers on the Kopje, and have been invariably met with a pass showing they were the registered servants of Jack Swartbooi, August, or some such name. I object to the pass system because it is a protection to diamond stealing. I am greatly in favour of the punishment for diamond stealing, and illicit buying being made more severe. The white man is the root of this evil. If his shield is taken away, and the penalty made more severe, diamond stealing will be greatly checked. I leave the last concession about land commissions to the land-jobbers; it is one for them. I have no farms, neither do I want any. I have much pleasure in seconding the adoption of the concessions, which I hope will never come to be called “cat-o'-nines.”

The Chairman.—I now call upon any one present to make any remark before I put this resolution. Do not let any one retire from this meeting after this, and say

these people do not know what they are grumbling about, or what they want. (The Chairman here read portions of the Bill of Concessions and remarked upon them.) I wonder when we get these long-called-for Estimates whether we shall find anything like that which happened to the Scotch parish clerk who could not get his accounts right until his wife, seeing his perplexity, soon set him to right. After he had expressed his inability to make both ends meet, she said, "Put down—to mumbled away, so much." (Laughter and cheers). At the end the Chairman said this is the conclusion of the cat-o'-nine tails.

The resolution was then put. Every one for—no one against. (Cries of "Hicona" and cheers).

The Chairman.—Gentlemen, do you mean to stick to it? (Loud cries of "We do, we will!" and prolonged cheering.)

Mr. G. T. Bean advanced, and proposed the following resolution:—"That the following gentlemen be delegates from this meeting to wait upon Government, and respectfully, but firmly request their assent to the concessions demanded by the people, with power and authority to act for the community, in the event of either the acceptance or rejection of Bill of Concessions by Government:—Messrs. J. Anderson, J. Marais, D. Teubes, J. G. Ross, J. Cundill, H. Tucker, J. B. Turner, G. T. Bean, W. M. Frames, W. Ling, Dr. Edie, Edward Hully, K. Tucker, J. J. O'Leary, J. H. Rausch, A. Aylward, H. Rink, S. Paddon, R. Jamieson, G. R. Blanch, F. Harvey, T. McDonald, Dr. Murphy, D. Doyle, J. Hodges, Dr. Smit, Schlikman, J. Vernon, S. J. Rhodes, L. Burkner, G. Tearnan, F. English, T. Ryan, and F. Burns." We believe these different gentlemen have been selected with care, and we look upon you to support them thoroughly. We have no doubt they will do their duty. There are, I believe, none amongst them like there were among the few who were originally selected at a former meeting for a similar purpose. I believe these gentlemen will be all pledged to carry out your instructions, and that not one amongst them will advertize and say he did not give in his name. (Laughter and cheers.) I now propose the Resolution.

Mr. J. Marais seconded in a short speech, remarking that the time prevented a lengthy address.

The Chairman put the Resolution, which was unanimously carried.

After a vote of thanks to the Chairman, with hearty cheering, three cheers for the Queen were given, and a voice called out for three groans for the Lieutenant-Governor. Almost before these could be commenced, the Chairman said, "No, we will have no groans for the Governor. I feel sure he will courteously receive the deputation, and that we shall be able to furnish you with a successful report of our interview with him. The meeting quickly separated. There were 2,000 persons present, mostly of the digging element. The Attorney-General, Inspector of Police, Clerk of the Peace, and a large assemblage of Government officials, barristers, &c., attended the meeting, and remained till its conclusion. In fact, the proceedings were unanimously endorsed by all present, and not one hand against or one dissentient voice were displayed from either the Government class or any other section of the community, and the best order as usual prevailed.

Inclosure 6 in No. 1.

Extract from the "Diamond Field" Newspaper of November 25, 1874.

DEFENCE LEAGUE MEETING.—The meeting convened for 8 P.M. on Saturday last was a perfect success. About 500 people were present, and the feeling of concurrence in the Resolutions passed seemed unanimous.

At 8:30 P.M. Henry Tucker, late M.L.C., ascended the platform, and spoke as follows:—

Gentlemen, you will remember that about a fortnight ago a deputation of thirty-two gentlemen was elected by the mass meeting to present a certain Bill of Concessions to his Excellency the Lieutenant-Governor. This meeting is now assembled to hear the reply of the delegates. As Mr. W. Ling, who is an old and influential digger, was elected chairman of the delegates, I have great pleasure in moving that he now takes the chair.—(Carried, amidst applause.)

Mr. Lang.—Gentleman, as Chairman of this meeting, I will now report to you the whole of the work done by your delegates since the last mass meeting. Mr. H. Tucker, as Chairman of the mass meeting, sent a letter to the Government requesting the Lieutenant-Governor to meet the delegation. This letter I am unable to read to you, as, unfortunately, it has not been brought to the meeting. Mr. Tucker received the following reply, which he handed to me as Chairman of the delegates (reply read, previously published in the “Field,” 18th instant).

The speaker continued—

To this letter I sent the following reply (Ling’s reply No. 1 read—*vide* “Field,” 18th).

To this the following answer was quickly sent (letter from Secretary to Government No. 2—*vide* “Field,” 18th instant, read).

Your delegates thought that the Government was rather quibbling with the question in sending such ambiguous replies; so they sent through me the following letter and resolution (also published before). I thought the whole correspondence with the Government was now necessarily closed, but only this afternoon I received the following letter:—

*“Secretary to Government’s Office, Kimberley,
“November 21, 1874.*

“Sir,

“I am directed by the Lieutenant-Governor to acknowledge the receipt of your letter of the 28th instant, informing his Excellency that a public meeting will be held this evening to consider what action should be taken in consequence of certain matters styled ‘concessions’ having, as you allege, been refused by the Government; and also in consequence of his Excellency having, as you affirm, refused to receive a deputation of thirty-two gentlemen called ‘delegates,’ appointed at a public meeting held here on the 7th instant.

“The ‘delegates’ appear to state that the object held in view by them is the alleviation of certain grievances; that all attempts at conciliation between the people and the Government have been repulsed by the latter; that they protest against the charge of wishing to urge the Lieutenant-Governor to commit illegal and unconstitutional acts, though they desire to wait upon him to obtain the suspension, amendment, or repeal of certain laws; that the ‘concessions’ above referred to have been refused by the Government; and, that his Excellency has declined to receive the delegates.

“As the correspondence will probably be read and discussed at the meeting to which you refer, and the Lieutenant-Governor is unwilling that there should be any room for misunderstanding, he has desired me to request that this communication may form part of that correspondence, and he desires me to draw your attention to certain points in which it seems to him that the conclusions of the ‘delegates’ are erroneous.

“1st. It is assumed by them that the relations existing between the Government and the people of the Province generally are such as to demand conciliation. This the Lieutenant-Governor is not prepared to admit.

“2nd. It is assumed that certain grievances exist which it is in the Lieutenant-Governor’s power to alleviate, and that he is unwilling to do it. His Excellency appeals confidently to the public in general, to say whether he has not, at all times and on all subjects, given ready access to persons desirous of conferring with him on matters in which it was possible for him to help them.

“3rd. The ‘Delegates’ disclaim any intention of wishing to urge the Lieutenant-Governor to commit unconstitutional acts, but, as I have already pointed out, the suspension of an existing law by the existing Government would be unconstitutional, and this is what the ‘Delegates’ say they wish to obtain by waiting on his Excellency.

“The way in which alone constitutional changes can be effected was indicated in my letter to Mr. Tucker of the 14th instant, and the Lieutenant-Governor is, and always has been, willing to receive and give his best consideration to any proposed changes which may be properly submitted to him.

“Lastly, the Lieutenant-Governor wishes it to be understood that he has never refused a concession when it was within his power and consistent with his duty to do so; and that he has never refused to receive a deputation when he has been approached in a proper manner and for a reasonable and practicable purpose, and that in this correspondence with Mr. Tucker and yourself his Excellency’s sole object

has been to persuade you and those acting with you to deal in a regular and constitutional manner with the subjects which are occupying your attention.

"I have, &c.

(Signed) "JOHN B. CURREY, *Secretary to Government.*"

"To W. Ling, Esq.,
&c. &c. &c."

The Delegates have since met, and have drawn up and adopted the following Report:—

The Delegates regret having to submit a very unsatisfactory Report. By a reference to the annexed correspondence it will be seen that they have made every endeavour to carry out the instructions of the 7th instant, but with respect to the concessions demanded, the Lieutenant-Governor has absolutely refused to meet them.

The Delegates feel they have no course open but to report the fact, and leave it to the people to say what means shall be employed to obtain redress or alleviation of the many grievances under which they labour; but the delegates cannot refrain from expressing their conviction that at a time like the present, when the Government and the people are so greatly at variance, the Lieutenant-Governor has acted under very questionable advice in declining to confer with the peoples' appointed representatives on matters of grave importance to the community, and that mere quibbling in order to avoid an interview is contemptible.

The Delegates believe that action of the nature adopted by the Government in this instance is unprecedented in any British Colony, and calls for severest censure.

If the distinctions between the Executive and the Legislature were as clearly defined as the Lieutenant-Governor endeavours to make it appear, a Petition to the Legislature through the Governor, though very unusual, would not perhaps be very absurd; but for all practical purposes in this case the terms Executive and Legislature are synonymous, the Executive having under any circumstances a clear majority in the Council, and the most objectionable Ordinances having been initiated by the Executive and carried through the Legislature in opposition to the Petitions of the people, the expressed views of public meetings, and the advice of the Diggers' Committees.

The Delegates believe that the Lieutenant-Governor never intended to meet them, and a candid reply to that effect would at least have had the merit of straightforwardness, whilst the transparently frivolous excuses and attempts at exculpation made by the Secretary to the Government permit the suspicion that the Executive are either deficient in moral courage, or are determined to place themselves in an attitude of defiance to the people.

I think, Gentlemen, you will agree with me that the Delegates have done their best to carry out the intentions of the last mass meeting. (Cheers.)

Mr. Blanch said—Before proposing the Resolution allotted to me, I wish to draw your attention to some of the statements made in the letter of the Secretary to Government to Mr. Ling. His Excellency the Lieutenant-Governor therein denies that there is any necessity for conciliation between the people and the Government, as the public are not dissatisfied with the latter. By mass meeting, by petition, by the local press, the people have impartially asserted their disapproval both of the form and acts of the Government, and the latter have not had one partisan with either the courage or the ability to utter one word in their defence, or to contradict our statements and confute our arguments. The person, therefore, who penned the statement denying that dissatisfaction existed, must have his judgment greatly warped, or have asserted what he knew to be untrue. The Governor states also that we wished him to do illegal and unconstitutional acts. I utterly deny this. The Government have on at least two occasions placed themselves above the law. For instance, when twenty-five claimholders waited on Mr. D'Arcy, as Civil Commissioner, in accordance with Ordinance No. 71 of 1871, to call a public meeting, so as to legalize the Diggers' Committee, he declined to do so—I believe because the Government was afraid to give the Committee power, and therefore put their own opinions above the written law. Secondly, the "Diamond News" stated the other day, that "the man who took out his licence at the lower figure cannot be charged a higher rate until the time of his licence has expired." This, however, was done when digging licences were raised, and men who had paid

for their licences for nine months in advance had to pay extra licence from the date of the Ordinance when they again wished to renew. But we do not wish the Government to repeat these faults. We should have gone there as reasonable men desiring certain reforms, and believing that we could convince Mr. Southey by our arguments of their necessity; and if he had met us in a fair and candid spirit, and explained that it was not in his power to comply with our requests at the time, but that he would pledge himself and the Government to do their best to accede to our wishes, as sensible men we should surely have been satisfied. (Hear, hear.) He objects to the number of the deputation. I cannot tell for what reason he objects to the number who represented all classes of the community, who would have elected two or three as spokesmen, and the others have occasionally assisted them with their suggestions and advice. We should have gone there as gentlemen, to discuss important political questions, and not as bullies and blackguards, and I am certain that there were many appointed Delegates who would never have consented to act if his Excellency were to be treated with disrespect. (Hear, hear, and cheers.) His Excellency asserts that he has always been ready to receive deputations and petitions. Gentlemen, some of the grievances that we now complain about have been in existence ever since the British flag was hoisted here; and although deputations have waited upon him, and petitions have been sent, the deputations have only received a few soft words and the petitions been pigeon-holed, but the grievances have been allowed to remain. (Cheers.) The arguments adduced at the last mass meeting have not been refuted in any way, even by the Government organ, and the speeches were mostly very moderate—that of Dr. Aylward remarkably so. The Governor referred us to the Legislature, but we all know the Council is a perfect farce. (Hear, hear.) The Executive have a standing majority, and if they want any assistance from the elected members they know well who will give it them. (Hear, hear.) I now beg to move the Resolution:—“That this meeting considers the refusal of the Government to meet the Delegates as an insult to the people, and they hereby adopt and approve the report of the Delegates.”

Mr. Bean.—Gentlemen, I have great pleasure in seconding the Resolution just proposed. Every proper means has been taken to interview the Governor without success. The Delegates, in my opinion, have done all in their power, and it remains for you, by adopting this report, to say whether you also think so.

The Chairman then put the Resolution to the meeting (carried unanimously), and called on Mr. Tucker to propose the next Resolution.

Mr. Tucker said—Mr. Chairman and Gentlemen, the Resolution in my hands is short, and my remarks shall also be as short as possible. The time for talking is past, and the time for decided action is come. We have had so much talking and correspondence that the people are tiring of it. After three months of it we may well wish for more direct pressure on the Government. Perhaps I had better go back to the early stages of our unhappy differences. You all remember the promise of Sir H. Barkly that a Constitution similar to that of Natal should be granted to us, and you know how unlike it proved to be when it was published. I may confidently state that it met with universal disapproval and indignation: so much so that a large meeting on the market-square condemned it, and by Resolution requested the Lieutenant-Governor not to put it in force until the House Government could be memorialized upon it. I do not say that every one joined in desiring that course, because some believed, or, I will say, hoped that the wise action of the Executive might serve to make it work better than it appeared likely to do. However, members were elected, a Session of the Council has been held, and I think, without fear of contradiction, it may be said that friends and foes alike have been astonished at the measures passed. No one is satisfied either with the Legislature or with the Executive, which to most minds are in our case synonymous terms. If all the evils of that one Session could have been foreseen I believe every man in the territory would have desired, with the mass meeting, that such a questionable blessing should have been withheld. The “Diamond Buying Ordinance” and the “Mining Ordinance” stand forth as monuments of folly and crude, arbitrary legislation. We know that the first mass meeting in August last took its rise from the fact that every day’s “Gazette” brought with it some fresh taxing measure, and the Session was becoming so prolific in this line, and there appeared to be little prospect of the Session coming to a close, although it had continued for nine months, that the people took alarm. That mass meeting appointed a Committee of Public Safety, requesting it to select five men to wait upon the Government as a Deputation

to represent and seek redress for certain grievances. The Government, with marvellous ingenuity, took exception to the name of the Committee, and assumed that it intended to exercise the functions of Government. How far such a charge could be substantiated by the interview sought for, or the subsequent action of the Committee, you may judge for yourselves. It served as an excuse to the Government, and that was all that was wanted; consequently, the deputation was not received, and another mass meeting was held on the 29th August. It appearing that Government would hold no intercourse with the people, it was decided to petition the Home Government for that redress which was refused on the spot. You know the futile attempts made by Government to overawe and intimidate that meeting; it is, I presume, a part of the constitutional creed of the Executive. The Committee of Public Safety prepared a petition, and after obtaining between 2,000 and 3,000 signatures, sent it off. This number of signatures of male adults proves the almost unanimous dissatisfaction of the people with the Government. You may say, why did you not await an answer to the petition, and not call any further meetings? For this reason: we thought it would be better to try and open communication with the Government here again, and endeavour to bridge over the chasm between the Government and people, and as the "Mining Ordinance" was proving so injurious and irksome, and the "Diamond Buying Ordinance," after being allowed to remain a dead letter so long, was suddenly and unexpectedly proclaimed, we wished to arrange with the Government that some delay should take place. The mass meeting of fourteen days since was therefore held, and a Deputation of thirty-two was appointed to meet and confer with Government. On the Monday following I sent the Bill of Concessions asked for to the Government, requesting his Excellency to receive the Deputation, and to name a date as convenient to receive them. I fancy the Government was somewhat puzzled on this occasion to frame a respectable excuse; for, while the application for the first Deputation was at once replied to, that for the second took a week to answer. However, the ingenuity of the Government was equal to the occasion, and questions of a Constitutional character were raised. It was stated the Government had no power to suspend laws. You have heard the correspondence read. I need not comment upon it, but I would observe that we are passing through a course of instruction on constitutional questions. It appears somewhat strange. These laws which are objected to were initiated by the Executive, carried through the Council by the Executive, and that in the face of petitions against them, expressed views of large public meetings against them, and the suggestions of the Diggers' Committee which had been requested by Government on the "Mining Ordinance." Do you doubt the power of the Executive under these circumstances to suspend the operation of obnoxious laws? I do not. Look at the reply of the Government to the petition of the Mining Board, that they would not enforce confiscation of claims on account of arrear water rates. They say, we will meet the case in this way: The claims must be confiscated; but if you will forego the portion of the proceeds you are entitled to, we will remit the portion accruing to Government. Now, gentlemen, is not this ingenious? For the Executive Government to act thus is surely discreditable. (A voice from the meeting, Dr. Mathews, "No, no." Great disturbance.) When order was restored. Mr. Tucker resumed:—

Gentlemen, remember that the Executive obstinately insisted on this confiscation clause against representations from all sides when it was being considered in Council, and I say that it is inconsistent on their part to tell the despatch from the mass meeting in their letter now read that they have no power to suspend laws, when they are prepared to evade in so tricky a manner the penal clause they themselves insisted on. There was obstinate blindness in passing the clause, and now there is want of moral courage in carrying it out. The invention of the Government is equal to anything that can be found in the pages of Baron Munchausen. They can invent excuses for not receiving deputations and for evading clauses originating with themselves; but I ask, would it not be more creditable and more constitutional openly to suspend, than indirectly thus to evade? The *débris* licensing system is bad, and the registering of servants worse. Coloured *débris* license holders may contract any number of servants, and thus organized parties for plunder throughout the camp are brought into existence. Near my house there are five or six such parties at work, and the vile language used by these people is heard in my house every day. The police cannot prevent that—it is constitutional. But the other day, when my kitchen servant was accosted by a mounted policeman and his pass demanded, he ran away and got into the kitchen as quick as he could.

The policeman, eager to capture the man, rode at a gallop into my yard, and round the corner of my kitchen. If the children had been there at the moment they would have been run over. These are both cases, and extremes, under the registering servants' law. Perhaps a third application might be made to Government to receive a deputation. I should have no objection to such a course being tried, but I despair of any response. The Government has wrapped itself up in a mantle of obtuseness and won't see us, won't listen to us. I will remark, however, that there is on our part no ill-feeling against any member of the Government, although we have been charged with personal animosity. I deny the charge. There is not a man upon this Committee of Public Safety, nor one among the delegates, who would not protect the persons of the officers of the Government from violence if necessary. Emergencies may arise out of the resolution of the people publicly expressed not to comply with the provision of the Diamond Buying Ordinance—not to submit to be legislated for as to where they shall sell their diamonds, and upon the Bill of Concessions demanded. For this you shall be prepared, and the best preparation is to adopt the resolution, that is, if you would form yourselves into an active body in accordance with it, viz., that a Defence League and Protection Association be formed; this, understand, not to assail the Government, but to protect individuals if assailed unrighteously by the Government. The following are preliminary rules under which the Association may be formed.

“That a Defence League and Protection Association be now formed.”

Rules proposed for the Kimberley Defence League or Protection Association.

1. The society shall be called the Kimberley Defence League and Protection Association.
2. Every member shall pay an admission fee and monthly subscription, to be determined when the Association is formed.
3. The Association to be considered formed and be called together when 400 members shall have subscribed the pledge.
4. Officers to be elected by the Association and form a Council for the general executive management of the Association.
5. Rules and regulations to be prepared by the Association when formed.

You will show to-night, by adopting or rejecting this resolution, and these general rules, whether you think further pressure should be brought to bear upon the Government.

Mr. Jamieson.—Mr. Chairman and gentlemen, I beg to second the resolution. There is little time left for talk. The time for action has arrived. We have heard a great deal about the benefits of paternal Government. I am sure no Englishman needs such a paternal Government as this is. I will say no more now, but I trust and hope this League will be carried on and kept as the other one was in days gone by. (Cheers.)

The proposition was then put and carried unanimously.

Aylward's speech: Gentlemen, I know very well that some of you in this room would like to see me lose my temper, but I can tell you that I will not please them. I very nearly lost it, but I shall not do so this time. There is one thing, I can tell you (alluding to those who had attempted to make a disturbance), if you want order you shall have it, but if you want disorder, by G—d you shall have it, that, too, quicker than you want it. You do not come here like Englishmen, Scotchmen, or Irishmen, nor like men at all, but like a lot of snarling wolves or jackals you hold your heads down and give forth your little howls behind the backs of others (cheers). Some of the individuals of whom I am speaking are members of this beautiful Government, others, I am sorry to say, are professional men, and all of them are degrading themselves and their professions by insulting the public by whom they earn their daily bread (cheers). There is one thing I can tell you, I have spotted all of you, and your names shall be posted (cheers). Who are you more than we are, that you come here with your sneers and snobbism to insult us? What am I? How did I come here? I will tell you. I came here as an adventurer; you all came here as adventurers, to see whether you would find low fever or a big diamond (cheers). And now, because some of you have taken office under Government, or made a little money, you are snobs enough to array yourselves in a paper collar and a lot of extra side (cheers and laughter). But the days of snobbery on the Fields are gone for ever. Sneers and side will only gain for you the contempt which such ill-judged demeanour deserves. I will now speak to the Resolution in my hand. It

is the pledge to be taken by all who join the Defence League and Protection Association, and I defy any one to object to the terms, although I have no doubt the Government will strongly object to the carrying out of the pledge. This is the pledge:—

Resolved that the following be the pledge for the new Association:—

I promise on my honour and in presence of the people that I shall not from this day forward—until released from this obligation by the officers of the League—pay any taxes or impositions whatsoever to the Government, *id est*, for the support and maintenance of the Government of this territory; and that I shall buy from, sell to, or deal with only such men as have also taken this pledge or obligation; and that I shall to the utmost of my power, with purse and person, protect any and every officer and member of the League against coercion or consequences of what nature soever arising out of the action necessitated by this pledge. And I also promise to report to the League the proceedings of all those whom I may ascertain to be hostile to it, and also any breach of the pledge which any member may make. And this promise I publicly make of my own free will, with the full meaning, spirit, and intent that I shall support all the leaguers, obey all the League laws, and oppose all payments to the Government until such time as the League declares by a majority that the people are taxed, ruled, and legislated for by themselves under a free and liberal Government.

This pledge is to become operative, and shall be enforced, when signed by 400 men. Gentlemen, I would not have come forward with this document if I were not firmly convinced that it is absolutely necessary. We have had a precedent for our proceeding in South Africa before. There was an anti-convict league in Cape Town many years ago, and we must remember the glorious success attending it. There are even stronger reasons for the formation of such a league here. There is one thing I must ask you; do not vote for this Resolution unless you intend to support it and carry it out. Some of you come to our meetings and cheer and vote, and then go away and do nothing further in the matter, fully believing, I have no doubt, that the Government would surely do what was asked, and so the public have allowed all previous movements to die away. We have been told by the Lieutenant-Governor that it was beyond his power to reform the Ordinances pending the Queen's reply to the people's petition. He has told us that he is powerless to do good. It remains with us, gentlemen, to make him powerless to do evil. (Cheers.) Let us refuse to pay another shilling of taxation, and that will make him powerless for evil. (Cheers.) (Laughter from the Government faction.) Ay, you can laugh now, but you won't laugh in a month when you can't get your salaries paid. The Government are even now in debt to the banks; in what state will the exchequer be in three months' time. The anti-convict league lasted six months. I do not think it is necessary to keep it up so long here, but if we are able to face the present taxation, how much longer can we hold out when paying no taxes? The concessions asked for fell far short of the real rights of the people, and yet the Government, in the most cowardly manner, have shirked meeting the people's representatives. It is a fine thing to say that the head of the Government was afraid to meet thirty-two inoffensive gentlemen. Sir Henry Barkly the other day received seventy-five angry farmers, and was not a bit afraid. (Cheers.) We have been charged with personal animosity. In the face of being vilified by a Barkly correspondent, I will maintain that ever since the time the British Government first put foot in this territory, I have been consistent in my conduct against it, and that is more than can be said of a certain Honourable Gentleman you know. I have opposed the jumping of territory and a hundred other acts of the Government from the first, but my animosity has never taken a personal turn towards any of the Government members, no, not even against the Attorney-General. (Laughter.) This pledge is a serious matter. If it is passed to-night it will only be a Resolution; but as soon as it is signed by 400 men, which will most likely be on Monday next, it will be the law of the people which must be abided by and ruthlessly enforced. The Government will be defied if they dare to touch a single claim for non-payment of licence. The diamond buyers will refuse to pay further licence and will be defended from harm. There is nothing in the pledge that is either illegal or unconstitutional, and as I have said before we have a precedent in Africa. I know that the Public Prosecutor is endowed with great courage, but all his courage will not induce him to prosecute me for proposing this pledge for your adoption. (Loud cheers.)

The Chairman. Has any one a desire to speak against this measure? It is a

serious matter, and if any one can give any reasons for not carrying it out we shall be glad to give him a hearing. It may not be generally known that the Governor, after having called the Legislative Council for the 29th November, has again prorogued it, so we can expect no redress from that quarter.

Mr. Schlickman : I beg to second Dr. Aylward's motion. I will not speak further, but to show that I am in earnest I will be the first to sign it (cheers.)

After some desultory conversation, Aylward, at the request of Messrs. Blanch and Dent, withdrew the words "associate with" from the pledge. And it was put to the meeting and carried in this form, only one hand being held up against it.

The proposition was then put and carried unanimously.

Mr. Blanch : Gentlemen, before you go away there is one more resolution that I wish to bring before you. Before we take up this protest, ay, even more than protest, I think it but right that the Government should be offered a last chance of reconciliation. Let us go to them once more with the hand of friendship extended, even though the other grasp a defensive weapon. And if they now choose to refuse to meet the delegates and any evil consequence ensue, the shame and disgrace will rest on them. I therefore propose the following Resolution:—

Resolved that the Delegates appointed by the Mass Meeting be empowered to communicate with the Government on the basis of the Mass Meeting Concessions, if necessary.

Dr. Aylward : Gentlemen, as a moderate man I beg to second this resolution (laughter).

The Chairman put the proposition to the meeting, and it was carried unanimously.

Dr. Aylward : Gentlemen, I do not like coming before you so often, but the gentleman who was to bring this proposition before you is unavoidably absent. I therefore beg to propose "that the gentleman who formed the delegation to meet the Governor be the officers appointed to carry out the league."

Mr. Fisher seconded.—Carried, Mr. Dent dissenting.

The Chairman : Gentlemen, I now request all those who are in favour of the pledge to step forward and sign it at once. Copies shall be taken round to the mine on Monday next so that all can sign.

The meeting then broke up, about 150 people coming to the table and signing the pledge.

There was a certain faction in the room that tried to get up a riot in the early part of the meeting, but was easily put down by the lovers of order. It is hardly necessary to state that this faction was not composed of members of the Committee of Public Safety and their friends. People have since heard that a military demonstration of twenty-five niggers was in waiting in the gaol yard, and that massacre must have been before the minds of some one or other.

The men who were to be posted as curs and jackals by the Committee No. 1, authorities, were saved from the ignominy by the decent demeanour they exhibited after caution, but also by the sympathy excited in the minds of the Committee for one of them, who, on being complimented for having separated from bad company, said, "Do you mean to post them?" and on receiving a reply to the affirmative, said, "Then, right or wrong, I will not desert them." This manly, outspoken, honourable opponent redeemed his *confreres*. He was not a barnacle; only a gentleman impelled by friendship, and earned the respect of his opponents for his manly avowal of a determination to stick to his party.

Inclosure 7 in No. 1.

To the Honourable the President and the Members of the Legislative Council for the Province of Griqua-Land West.

The Petition of the undersigned claimholders in the Colesberg Kopje Mine, Kimberley,—

Humbly sheweth,—

THAT your Petitioners have seen and considered a certain draft Ordinance published in the "Government Gazette" of this Province, purposing certain alterations in the law with regard to mining for diamonds at the Colesberg Kopje Mine. Kimberley.

That your Petitioners, whilst fully approving of the principle of the said draft Ordinance that alterations in the existing law are imperatively necessary, would humbly submit that the provisions thereof involve considerations of such grave importance as to advise the utmost caution before confirming them, and therefore think that the large interests concerned are such as to entitle the claimholders to an opportunity of bringing before your Honourable Council such suggestions as, from practical experience, appear to them to be necessary to exhibit the views entertained by the claimholders whose interests it is sought so seriously to affect.

And your Petitioners would therefore humbly pray your Honourable Council to delay legislation upon so important a measure until your Petitioners shall have been allowed a reasonable time to enable them to represent their opinions upon the various provisions of the said Ordinance,

(Signed) JAMES G. REID.
(And 52 others.)

Inclosure 8 in No. 1.

Kimberley, March 25, 1874.

To the Honourable the Legislative Council of Griqualand West, in Parliament assembled.

The Petition of the Undersigned claimholders,—

Humbly Showeth,—

THAT at a public meeting held at Kimberley Hall, on Tuesday evening, the 24th instant, the following Resolutions were put to the meeting, and carried unanimously, viz. :—

1st. That as all taxes necessary to the safe and efficient working of the mine are to be levied by the Mining Board, no work should be undertaken without the sanction of that body: that the Executive Officer of the mine should be responsible to the Mining Board for the carrying out of any work that may be deemed necessary: that classes 23 and 25, sec. 1, and clause 5, sec. 4, and clause 5, sec. 5, of the draft Ordinance are most dangerous to individual miners, and that for their protection from unjust and arbitrary orders, the clauses referred to should be amended to make only persons disobeying notices that have been sanctioned by the Board liable to a fine, as provided in clause 25, sec. 1, of the Mining Ordinance.

2nd. That a Committee of thirteen (one for each road) be appointed to take the votes, as to whether the majority of claimholders are in favour of the management of these mines or diggings being vested in representatives elected by themselves or left to the control of the Government.

3rd. That the Diggers' Committee be requested to appoint the Committee resolved on in the previous Resolution.

4th. That this meeting is of opinion that a petition should be presented as speedily as possible to the Legislative Council, requesting that the Mining Ordinance be not proceeded with for a period of one week, so that time may be given to the claimholders to signify their approval or otherwise of the Bill.

That the Mining Ordinance has already been read in your Honourable Council a second time before passing into Committee.

That the Bill is to come again before your Honourable House to-morrow, Thursday, and that inasmuch as, in the opinion of your Petitioners, a sufficient period of time has not been allowed in order to take the sense of the claimholders on the fields generally,—

And further, inasmuch as the Honourable Secretary to Government seems to be of opinion that a public meeting does not properly represent the opinion of the claimholders, and has stated in your Honourable Council—

“That, as regarded the Executive Officer, the majority of the diggers would, he believed, side with the Government, and see the expediency of an Executive Officer being entrusted with the safe working of the mine,”—

Now, therefore, we, the undersigned Petitioners, humbly pray that the further consideration of the Mining Ordinance by your Honourable House be postponed for one week, in order that the sense of the claimholders may be taken individually,

and that they may be allowed an opportunity of signifying their approval or otherwise of the Bill referred to.

And your Petitioners, as in duty bound, will ever pray.

(Signed)

WILLIAM LING.

K. TUCKER.

(And 109 others.)

Inclosure 9 in No. 1.

Extract from the "Diamond Field" of November 28, 1874.

CONFEDERATION.—THIS word has given place to one of more threatening significance, "Annexation." Now, it behoves South African communities and peoples to study out the problems suggested by the latter and the results that may be achieved by the former. Annexation means, if it means anything, the further extension of the power of the Cape official clique, the elevation of the native to the status so nobly achieved for him by his injudicious admirers on the Diamond Fields, a correct view of the real value of which can be obtained by anyone who gets a peep into that hotbed of vice and fever, Kimberley gaol; the civilization of the black races, by giving them unlimited facilities for learning and practising the worst crimes that flourish, where barbarism is sought to be unduly and too rapidly dragged up to an equality with our civilization; the multiplication throughout the country of aimless idiots, remittance men, snobs, cads, loafers, diamond stealers and illicit buyers, bogus company creators, and other varieties of the worthless produce of routine, red tape, and mock respectability. Annexation means taxation for the support of a class, and what a class! The class of men who are dreaded by boarding-house keepers and hotel proprietors, the smooth-tongued, frivolous, lackadaisical, kid-gloved, insolent, lady-booted despisers of the farmers and the working classes. Annexation means being made subject to laws passed by a few men, exposed to all the temptations that the fear of snobbish insolence or the sordid hope of gain for themselves or families can exercise upon Cape Town legislators. Representatives will be perched away in a remote corner of a distant province, far removed from wholesome local influence and ever subject to the lowering and corrupt influence of officials in that nest of officialism, Cape Town.

It means that the interests of every locality, the commercial importance of every town, the prosperity or ruin of every community shall be legislated for only with a view to Cape and the ruling clique. Annexation, in fine, means destruction of all national life or local public spirit. But above all things, annexation most terribly affects the labour and native questions. From all the exposed border farmers in the Cape Colony rise up from time to time a wail of anguish. Native thieves year after year rob them of half the produce of their skill, filch away half the number of the flocks. The farmers cry aloud for protection, they get a serpent instead of a fish. They are given taxation as a boon, and ordered to be silent, for they are retarding the car of progress. The Natal men deal pretty well with the Kafirs, at all events the curb the mischievous propensities of they native.

Previous to the existence of the Diamond Fields, so well kept in order were the Natal men by both their black captains and the white magistrates and people, that honesty was the rule and slight trivial cases of dishonesty among natives the exception. Under Free State rule the same honesty and order prevailed amongst the natives. But what has been the result of the advent here of the "civilizer" *par excellence*. The natives, released from all restraint, bounded in one day from the position of careful honest dependence to one of the most glaring, horrible, licentious independence. Theft ran riot amongst them: the Colonial missionary Kafirs, the degraded though semi-civilized Hottentots from the Cape, swiftly and surely corrupted all the tribes in the fields. The Natal and Free State Kafirs, released from wholesome restraint, the wild Basuto, freed from Chief's law and tribal punishments, almost immediately broke out into a fever of thieving and drunkenness. Disorder prevailed in place of order, and we are told by the admirers of annexation, the apostles of a civilization that corrupts and destroys, that all this, being done in the name of England, is hallowed work, and that the independent Republics of South Africa ought to be glad to embrace the loathsome giver of evil gifts because those gifts were given in a good name and under pious pretences. And what has been, what is, the result to the population here of all this so-called

progress? Property is lower in value; population has dwindled down from 40,000 white men, women, and children to one-eight of its former number. The native population has also fallen off in number, and instead of 30,000 workers we have here but 10,000 of a coloured population, one third of whom live by questionable means, and one-twentieth of whom are inmates of our gaols. Ruin, financial ruin for the whites, moral ruin for the natives, these are the results of the attempt to elevate in one day the servant to an equality as regards the right to hold property with his master. 'This the outcome of the guilty policy that for the sake of a few paltry acres of barren land and the revenues of a few mines, criminally filched from the Orange Free State a strip of her territory, and in the name of Waterboer and England proclaimed the equality of races, and demoralization, and ruin of a people. Class legislation, restrictive laws, and the holding in check of the coloured races till by education they are fit to be our equals, is the only policy that finds favour here. The Cape Colony has its laws and its customs, why should we be forced into an unhealthy union with her? Her native policy is her own. Let her keep it, and let the historian prove himself to be the friend of the worker by advising that Natal, the Transvaal, the Orange Free State, and Griqua-Land West (so-called) be unified for defensive purposes if necessary, but let him not extinguish these four territories, which have within themselves all the elements of greatness and civilization, in the nothingness of the old and effete, because clique-ridden and tradition-bound Government of the Cape Colony. With Natal and St. Lucia and Delagoa Bay free ports of trade; with railways connecting the Diamond Fields with the capitals and ports of the three states; with a Government determined to protect white interests from danger at the hands of unlettered vicious savages, but yet giving opportunities for those savages to work out their social elevation by holy, ennobling, honest labour, and the slow but steady progress of education, there is end must be a glorious future before us. Let that prospect not be blighted by the visionary follies of the Exeter Hall fanatics or the self-seeking rapacity of the annexationist clique. In the union of Natal, the Transvaal, and Free State, under a cheap form of Government, such as that of the Orange Free State, alone is to be sought the federation that will promote freedom and right. In annexation to the Colony we will meet with political death. Besides this territory where we now are is actually Free State property, and the people who live here desire nothing so much as to be permitted to return to Free State rule. Self-seekers cry out for extension of this territory. How can that be extended honestly which has no legal existence? A contemporary says well "Widen our territories," and he is a wonderful people, he and Green and a few others. "Refuse to do this, and British rule cannot exist here for a good purpose for any very long time." Surely after the protest of the people against further extension of territory, surely in defiance of the strongest expressions of opinion from the Englishmen who dwell here "that this Government has failed in its mission, and is worthy only of contempt and censure," no statesmen, least of all Mr. Froude, will recommend that additional power for evil, further territory to misrule, shall be given to the destroyers of our prosperity. We think not. If Mr. Froude wishes to hear the opinions of the people or their delegates he can call them together. They will come if called, and the voices of Englishmen demanding justice and inveighing against oppression will be, after all, better for his ears to hear than the clanging tongue of the auctioneer or the sycophantic whispers of the impecunious attachés of a weak, miserable, and unconstitutional Government.

No. 2.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received August 12.)

My Lord,

Government House, Cape Town, July 13, 1874.

I HAVE the honour to transmit, for your Lordship's information, a despatch from the Lieutenant-Governor of Griqualand West, covering the Accounts of that Province for last year, and the Estimates of its Revenue and Expenditure for this.

2. Mr. Southey enters into such clear explanations on the whole subject, and the Report which he incloses from his Auditor-General furnishes such full details as to the financial transactions of 1873, that it is unnecessary for me to add much to their statements.

3. The position of the finances may appear at first sight less prosperous than was

anticipated, but this arises entirely from the non-receipt as yet of the amount expected from the sale and lease of Crown land, owing to the complications in regard to titles.

4. Another important source of Revenue, alluded to in Mr. Currey's Report as not yet realizable, namely, the heavy claims preferred against this Colony for a share of the Bank-note duty, I am endeavouring to adjust.

5. If the Banks in Griqualand West issued distinct notes for that Province, and provided for their redemption on the spot, there would be no difficulty in the matter, but they are merely branches of Colonial establishments, and the intervention of the Cape Parliament will probably be requisite, as its Act No. 6 of 1864 renders all notes issued or circulated here liable to the payment of 30s. per 100l.

6. There are counter claims, however, on the part of the Colony, for the Ocean Postage on letters from Griqualand West to England, and for payments made here on account, and I am by no means sure that the balance, when struck, will prove to be large either on the one side or the other.

7. Be this as it may, I do not regard the financial position of the Province with the slightest anxiety, but concur with Mr. Southey in believing that, as soon as the Land Question is placed on a proper footing, it will yield ample Revenue to defray all needful expenses of Government, even should the quantity and value of diamonds exported fall off to such an extent as to necessitate a greatly reduced scale of taxation.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 2.

Lieutenant-Governor's Office, Kimberley,

June 20, 1874.

Sir,

I HAVE the honour to forward, for your Excellency's information, copies in triplicate of the following papers:—*

(1.) General Account Current of this Province for the year 1873.

(2.) Statement of the Revenue for 1873.

(3.) Statement of the Expenditure for 1873.

(4.) Comparative Statement showing the estimated and actual Revenue for 1873.

(5.) Comparative Statement showing the estimated and actual Expenditure for 1873.

(6.) Estimate of Revenue for 1874.

(7.) Estimate of Expenditure for 1874.

2. I also forward a copy of the Auditor's Report to me on the subject of the Revenue and Expenditure for 1873.

3. The Estimate for the present year having been considered and agreed upon by the Executive Council, were submitted to the Legislative Council in the usual manner, and having been passed without amendment on the 8th ultimo, an Ordinance authorizing the appropriation of the amount of the estimated expenditure, 78,747l. 11s. 8d., will be immediately introduced.

4. It will be seen from the comparative statement of estimated and actual revenue, that the Crown lands, which were relied on to produce—

								£
By Sales .. .. .	..	..	..	..	..	..	..	3,000
Land Revenue .. .. .	..	..	..	..	..	..	..	2,977
Transfer dues .. .. .	..	..	..	..	..	..	..	2,680
In all .. .. .	..	..	..	..	..	..	..	8,657

produced actually only 670l., thus leaving a deficiency of nearly 8000l. under that head.

5. The circumstances which have hitherto operated to retard the issue of titles to land in this Province having been fully explained in separate communications on that subject, I need not now revert to them. It will be sufficient for me to state here, that no Crown lands in this Province have as yet been disposed of, either by grant or sale, except a few small building lots at the town of Barkly, and that, though one result of the caution exercised in this matter, has been a failure of revenue for the past year, there is positive proof that this caution has also resulted in preserving and rendering available for Crown purposes a very large and valuable quantity of land, which will in due course produce either a capital sum by its sale or a fixed revenue by its rental.

* These tabular statements are not printed.

6. The failure of this branch of revenue for 1873 has, however, left the services chargeable to it in that year unprovided for, viz.—

Surveys	£
Public Works..	1,704
	5,200
	<hr/>
	6,904

and as provision must be made to meet an expenditure of at least 15,000*l.* more under these heads during the current year, and I cannot look forward to such a revenue from the Crown lands as will cover it, I have proposed to the Legislative Council to empower me to raise a loan of 25,000*l.* on the security of the general revenue, the proceeds of this loan to be applied only to public works and the survey of Crown lands.

7. The proceeds of these lands, as they are sold, together with the surveying expenses as they are recovered, will be carried to a separate account for the repayment of this loan, which it is proposed to raise on debentures redeemable on the 30th of June, 1880, and all expenditure on account of surveys and public works will be charged to that account, so that the revenue derived from the sale of Crown lands and the expenditure on permanent public works will not be mixed with the ordinary revenue and expenditure, but will be laid separately before the Legislature.

8. In framing the estimate of revenue for the current year, I have been obliged, looking to the small amount likely to be received under the heads of land revenue and transfer dues, to propose some re-adjustment of existing taxation, and measures will be submitted to the Legislative Council for increasing the duty on the introduction and sale of guns, and imposing a duty on gunpowder and ammunition, and also for raising the rates of licences taken out by wholesale and retail dealers, diamond merchants and brokers, dealers in gunpowder and licensed victuallers. On the other hand I have, by virtue of the powers vested in me, reduced the market dues throughout the Province from 5 to 2½ per cent., which will involve some immediate loss of revenue, but will, I believe, be of benefit to the community, as there is reason to think that the higher rate has deterred farmers from bringing produce to our markets.

9. The estimates of expenditure have been framed with due regard to economy, but the administration of Government in a place where the mere necessities of life are so expensive, and where money is so easily earned as to be plentiful amongst all classes except those having fixed incomes is unavoidably costly; and though I have felt compelled to disregard numerous applications for increase of salary, the establishments this year are estimated to cost 29,747*l.* against 25,854*l.* in 1873. This increase is caused chiefly by the necessity of fresh organization of the mining establishment, which is estimated to cost 4,305*l.* The only cases in which any increase has been proposed for Heads of Departments being those of the Surveyor-General and the Master of the High Court, who receiving respectively salaries of 600*l.* and 500*l.*, have each been put down for an allowance at the rate of 100*l.*

10. Provision has also been made for a private secretary for myself for six months, and I need hardly point out how necessary such an officer is to me with the very large amount of correspondence now entailed upon me relating to matters beyond our borders.

11. The only other proposed increases of salary or allowance are those of individual cases of clerks, which I felt bound to accede to.

12. I must however here state that I shall not in all probability be able to resist the demands which will be made for increased rates of pay, in favour of which in certain cases a motion has already been made by one of the elected members of the Legislative Council; if the large additions proposed by the Governor of the Cape of Good Hope to the salaries of its officers are passed by the Legislature of that Colony, for as long as the circumstances of this Province continue to demand of Government officers not only that they shall be content with the simplest necessities of life, but that they shall forego the comforts and enjoyments, if not even the decencies, of a settled home, it is evident that the services of competent men can only be obtained by offering them a scale of remuneration which shall bear a proper relation to the salaries enjoyed by officers in the older and more settled Colony.

13. This is more particularly the case as regards the higher officers, and especially those who, having families, must either submit to separation from them or must subject them to the privation and discomforts of camp life, in a climate so changeable as that of this province, where extremes of heat and cold, piercing winds, clouds of dust, storms of thunder and lightning, and torrents of rain, often make health precarious, and

render comfort or repose impossible in the frail tenements which we are compelled to inhabit.

14. In conclusion, I may express my perfect confidence in the ability of the province to meet from its ordinary revenue the cost of its Government, not only without additional taxation, but with a reduction of existing imposts to at least the rates paid in the Cape Colony as soon as the conflicting claims to the lands can be adjusted and titles issued to the farms which are now neither stocked nor cultivated.

I have, &c.

(Signed)

R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir H. Barkly, G.C.M.G., K.C.B.,

Governor, &c., &c., &c., Cape Town.

Inclosure 2 in No. 2.

Sir,

Audit Office, Kimberley, June 19, 1874.

IN submitting, for transmission to his Excellency the Governor, the inclosed statements of the revenue and expenditure of this Province for the year 1873, with my remarks thereon, I have to apologize for the delay which has occurred in the performance of this duty, and to express my regret that I was not aware that it was required of me until it was called for by his Excellency.

2. The revenue for 1872 was 58,437*l.*, and the expenditure actually brought to account was 48,614*l.*, leaving a balance, on the 31st of December of that year, of 9,823*l.*, which was represented by authorized advances amounting to 4,672*l.*, and cash balances in the Treasury and Divisional Chests of 5,151*l.*

3. The estimated revenue for 1873 amounted to 66,822*l.* The actual revenue was 66,973*l.*, being 151*l.* more than the estimate; but this result was accidental, as there was a deficiency under some heads, of 12,182*l.*, and a surplus under others of 12,333*l.*

4. I will now proceed briefly to remark on the causes which led to that deficiency and that surplus.

5. The Crown lands had been relied on to produce 3,000*l.* by sales, and it was estimated by the Surveyor-General that a sum of 2,977*l.* would be realized from land revenue (rents), and a further sum of 2,680*l.* from transfer dues, making a total of 8,657*l.* to be derived from land. Circumstances, however, which it is not for me here to detail, prevented not only the sale of any Crown lands, but the issuing of any titles in 1873, and the result was that of the anticipated sum of 8,657*l.* only 670*l.* was realized, leaving a deficiency of nearly 8,000*l.* under that head.

6. The actual revenue derived from the diamond mines and diggings was 14,710*l.*, against an estimate of 15,520*l.*, showing a falling off of 810*l.*, which may, I think, be wholly attributed to the want of proper surveys of some of the mines, which has hitherto enabled unscrupulous persons to work more than one claim under one licence. Of this amount of 14,710*l.* actually received, a sum of 5,699*l.* was refunded to the owners of the farms containing the diamond mines; they being entitled to a proportion of all sums paid for digging licences, which the Commissioners administering the Government in 1871 and 1872 had fixed at one-half, so that the actual revenue derived from this source by the Government in 1873 was only 9,011*l.*

7. Postage, estimated at 5,525*l.*, produced only 5,015*l.*, leaving a deficiency of 510*l.*, which is to be attributed to the refusal of the Free State Government to enter into a Postal Convention.

8. Pound fees show a deficiency of 704*l.*, having yielded only 1,495*l.*, against an estimated sum of 2,200*l.* This deficiency is to be ascribed to the unoccupied condition of the land to which reference has already been made, as is also that of 817*l.*, under the head of market dues.

9. The only other item exhibiting such a discrepancy between the estimated and actual revenue as to call for remark from me, is that of hut tax, which yielded nothing, though 197*l.* was estimated under that head. This amount was included in the estimate of the Acting Civil Commissioner of Barkly, and was adopted as being an amount voluntarily paid by natives living on the commonage of that town. It was found, however, that there was no machinery for enforcing its payment.

10. The items which show a surplus of actual over estimated revenue are—auction dues, 1,076*l.*, which may be ascribed to the general expansion of trade; stamped licences, 2,154*l.*, attributable to the same cause. Indeed, the surplus under this head would have been much larger but for the necessity of covering some forms of licences with blank stamps.

11. Blank stamps, estimated to produce 6,060*l.*, produced 12,025*l.* This very large surplus is owing—first, to the fact already mentioned of blank stamps being used for licences in some cases; and, second, to the receipts under this head for permits to introduce and sell guns, which in nine months amounted to 7,000*l.*

12. Fees paid for registration of natives amounted to 3,345*l.*, against an estimated amount of 1,500*l.*

13. The fee on each contract of service being 1*s.*, it will be seen that nearly 67,000 contracts were entered into during the year. These contracts are for different periods varying from one to twelve months, very few, however, being for more than three months, as in that time the natives, who receive 10*s.* a week and their food, can earn nearly enough to enable them to purchase the articles they desire to take back to their own country. Some of these natives are Basutos and Zulus, but by far the larger portion are members of the vast docile and peaceful tribes beyond the Limpopo.

14. Judicial fines produced more than 2,000*l.* beyond the estimate, which I fear is to be accounted for by the ability of persons convicted of unlawful dealing in diamonds to pay the heavy fines imposed upon them.

15. I cannot conclude these remarks on the revenue of the Province for the past year without bringing to your Excellency's notice the fact that the statement laid before the Legislative Council, whilst exhibiting the actual amount received, does not show the items which are in account between this Government and that of the Colony of the Cape of Good Hope. These items of revenue are—1st, the duty on bank notes issued by banks, having their head office in England or the Cape Colony but trading here, and circulated in this Province; 2nd, the stamps on bankers' cheques used in this Province, but supplied by Colonial banks and issued from the Stamp Office in Cape Town. I have been unable as yet to procure an adjustment of the accounts with the Cape Government owing to the unwillingness of the banks here to furnish such accounts of their circulation as will enable this Government to claim its proper proportion of bank note duty, but your Excellency is well aware of the immense circulation of notes issued by banks here, not only in this Province but in the neighbouring State, and in the far interior; and in proof of the extension of the circulation of Colonial notes by means of the trading operations of this Province, it is only necessary to point to the fact that the bank note duty in the Cape Colony which in 1870 amounted to only 3,247*l.* produced in 1873 15,035*l.*, of which it is estimated that two-thirds are due to this Province.

16. Before remarking upon the estimated and actual expenditure of 1873, I must premise that—as your Excellency is aware—it was found impossible during the past year to procure the services of competent clerks for this branch of my office, and that consequently the auditing of the public accounts had to be limited to the examination of the requisitions. The result of this has been to cause large authorized advance lists, and if the statement of the expenditure had only exhibited the payments brought finally to account the amount of these authorized advances would have appeared as money in hand, which would not have placed the true financial position of the Province before the Legislative Council; and I deemed this of so much importance that, with your Excellency's concurrence, I brought all payments to account, for the purposes of the statement of expenditure, though the advance lists are still subject to audit and some diminution of the amounts may thus be obtained which will appear in the accounts of the current year as sums refunded.

17. The estimated expenditure for 1873 was 63,786*l.* The actual expenditure was 71,153*l.* or 7,367*l.* more than the estimate; 4,330*l.* more than the estimated revenue, and 4,180*l.* more than the actual revenue. The expenditure was below the estimate in six items amounting in the whole to 9,582*l.*, whilst in fifteen items it exceed the estimate by an aggregate amount of 16,919*l.*

18. The six heads under which the expenditure was below the estimate do not appear to call for particular remark. The apparent saving under allowances was far more than absorbed by payments under the head of temporary salaries. The sum estimated for constabulary was intended to cover also the cost of mounted police, which was subsequently made a different branch of the service, and the saving on the whole was only 909*l.* The allowance to the frontier armed and mounted police was not expended owing to the removal of that force from this Province at the desire of the Colonial Government. Under Aborigines there is an apparent saving of 458*l.*, but this is owing to the fact of Captain Waterboer being absent from Griqualand and not drawing his allowance of 500*l.* till the beginning of this year. The saving under conveyance of mails is also only apparent, the postal subsidies having been paid by the Colonial Government, under a contract originally made by the Postmaster-General at Cape Town which has now been transferred to this Government. Under sums refunded provision was made for 8,000*l.*,

which included the moiety of the proceeds of diamond digging licences to be paid to the proprietors of the farms containing the mines, and a saving of 305*l.* was effected under this head.

19. Turning now to the items in which the expenditure exceeded the estimate, it will be seen, after what has been said above, that, as a rule, this excess was general, the only exceptions being police and sums refunded; but a few general remarks will, I trust, sufficiently explain it. It must be borne in mind that at the commencement of the year a new system of Government was inaugurated, involving necessarily an increased outlay; that almost immediately after your Excellency's accession to office the Government was deprived of the assistance of the gentlemen who had previously been the Administrators, both of whom left the Province on sick certificates, so that the estimate was merely an approximate one framed under great difficulties. Disturbing influences were also in operation in the past year, which would have affected the most careful estimate. A drought, almost unprecedented, made the Cape Colony a desert through which communication with this Province became so difficult and costly that goods could hardly be sent up from the coast even at the excessive rates of 60*l.* to 70*l.* a ton for carriage, and the cost of everything here became enormous. At the same time gold was discovered near Leydenburg in the territory of the South African Republic, and, whilst many people left to seek their fortunes there, many of those who remained here became unsettled and demanded excessive rates of pay and wages, so that almost every branch of the Government service was rendered more costly.

20. Salaries show an excess of expenditure over estimate of 4,774*l.* arising from the necessity of making new appointments and providing additional clerical assistance in those offices already existing. The Mining Department especially cost far more than had been anticipated, it being found necessary to employ men to keep order and ensure obedience to the directions given by the Inspectors for the general safety and convenience of the miners.

21. Under the head of gaols the expenditure was 1,574*l.* more than the estimate, the increased outlay being necessitated to accommodate the largely increased number of prisoners.

22. Administration of Justice shows an expenditure of 984*l.* over the estimate, to be accounted for, it is feared, by an increase of crime as money is made less easily.

23. Hospitals cost 628*l.* more than was calculated owing to the failure of the private subscriptions and donations which originally established them.

24. Transport cost 925*l.* more than the estimated sum, which may be ascribed to the excessive rates of carriage in consequence of the drought.

25. On public works there was expended 1,200*l.* in excess of the estimate. The erection of many necessary buildings was deferred in consequence of the enormous price of all the materials required to be brought here, but the accommodation absolutely indispensable could not be provided for the sum set apart for that purpose.

26. Miscellaneous and special services, for which little or no provision had been made, involves an excess of 1,250*l.*, caused chiefly by law costs in cases in which the Government became involved owing to the areas of the mines not being declared.

27. Office contingencies amounted to 1,067*l.* more than was estimated, owing, in a great measure to the increased cost of carriage.

28. Surveys, for which no estimate was made, cost 1,704*l.*; but this is not properly an item of expenditure, as the amounts expended are recovered when the lands are sold.

I have, &c.

(Signed) JOHN B. CURREY, *Auditor.*

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

No. 3.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, September 9, 1874.

I HAVE had under my consideration your despatch of the 13th of July last,* inclosing the Estimates of the Revenue, and Expenditure of Griqualand West for 1874, together with the Accounts of that Colony for 1873.

2. It is hardly necessary for me to point out that my approval or disapproval of these

particular estimates is now of little practical value, as from the late period at which they were sent home, the greater part of the year's expenditure will have been incurred before any decision can reach the Colony. I find that my predecessor, in his despatch No. 384 of the 22nd of August, 1873, gave explicit directions on this subject, in accordance with which the Estimates for 1875 should now be under consideration. You will, therefore, have the goodness to request the Lieutenant-Governor to prepare and send home these estimates at once, if he has not already done so, paying full attention to the instructions in Lord Kimberley's despatch above-mentioned, and to the observations which I feel it now right to make.

3. Apart from the delay which has taken place in sending home the present estimates, the despatch now under acknowledgment, and its inclosures, present several points which I must look upon as highly unsatisfactory.

4. In the first place, the information with which I am furnished is wholly insufficient to enable me to form an independent opinion upon the estimates. In this respect the directions of my predecessor do not appear to have been carried out. The quarterly returns of revenue and expenditure have not reached me; and there is no return of revenue and expenditure up to the date at which the estimates were made up. The estimates are likewise unaccompanied by any statement (even approximate), of assets and liabilities.

5. In the absence of these data it is impossible to judge accurately of the financial state of the Colony. From the remarks which you make, however, it appears to me that the capability of the current revenue to meet the expenditure (apart from the 15,000*l.*, proposed to be laid out on public works and surveying), depends very much on the amount to be derived from land. But this source of revenue is in the meantime a very precarious one. It is impossible now to say within what precise period the land question can be settled; and until the various claims respecting ownership are definitively decided, no considerable receipts can be relied upon on that account. For this reason I cannot approve of Mr. Southey's proposal to raise a loan of 25,000*l.*, to be repaid out of the proceeds of land sales, even if in other respects the scheme was unobjectionable. Such a measure would burden the general revenue with a heavy charge for interest; and though I note Mr. Southey's sanguine expectations, it would, in my opinion, be unwise at this early stage of the growth of the Colony, to incur a large expenditure in anticipation of an expansion of the revenue, even if that revenue were of the most elastic character; and I see no reason to expect that the income derived from lands would, within the next six years, be sufficient to pay off the principal of this debt. It seems doubtful whether it can be immediately necessary to lay out so large a sum on surveys and public works; but whatever expenditure it is proposed to incur on this account, should be included in the estimates in detail, and full explanations should be furnished as to its necessity or expediency.

6. This leads me to consider the estimates of expenditure transmitted in your despatch. And here again I am, from want of sufficient information, debarred from forming any accurate opinion on the various items. The mode of application of large sums (of which there are several) should, as far as possible, have been shown, and the propriety of the expenditure discussed. Due regard also has not been paid to the instructions on this head conveyed in Lord Kimberley's despatch, to which I have already desired that Mr. Southey's attention should be directed.

In present circumstances, I can only observe that the votes for "Police, Gaols, and Convicts," and "Hospitals," seem very large compared with the total expenditure, and considering the probable population of the Colony, which I assume to be under 50,000 persons. The cost of establishments, too, although partly accounted for by Mr. Southey, seems unduly large, and generally the expenditure, which has grown from 48,604*l.* in 1872, to 78,747*l.* (estimated) in the current year, appears greater than the extent and population of the Colony would imply, or can probably require.

7. I fully appreciate the difficulties with which Mr. Southey has to contend in dealing with the finances of so young a Colony; but the very fact of its recent origin and the consequent uncertainty of its prospects and requirements necessitates great caution in dealing with the expenditure, every item of which should be most carefully considered as to its necessity or expediency.

8. It will now be sufficiently plain to you that I cannot express approval of the estimates now sent home. At this late period, close upon the last quarter of the year to which the expenditure relates, I can do nothing but request that you will impress upon Mr. Southey the necessity of the greatest circumspection, and desire him to use his utmost endeavours to keep the expenditure within the compass of the Revenue. I look with considerable anxiety on the rapid increase of the former within the last two years,

an increase much greater in proportion than that of the Revenue in the same period. I hope to be furnished with full explanations on the points referred to in this despatch, along with the Estimates for 1875. And if, on receipt of this despatch, these Estimates have not been forwarded to me, I wish to be informed how soon they may be expected to reach my hands.

9. A statement of the affairs of the Colony, after the form of the Report usually transmitted by Governors with the annual Blue Book, would also be of great value, and you will therefore desire Mr. Southey to prepare such a statement as soon as he conveniently can. This Report should be continued annually, and transmitted along with a Blue Book of the ordinary form as soon as practicable after the close of the year to which it refers.

I have, &c.
(Signed) CARNARVON.

No. 4.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received February 1.)

My Lord,

Government House, Cape Town, January 4, 1875.

I HAVE the honour to inclose, for your Lordship's information, another despatch received from the Lieutenant-Governor of Griqua-Land West, covering copy of an address presented to him by a number of the most respectable inhabitants of Kimberley in that Province, and of the reply to which he returned to it.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 4.

Sir,

Lieutenant-Governor's Office, Kimberley, December 24, 1874.

I HAVE the honour to transmit, for your Excellency's information, the copy of an Address, signed by a number of the most respectable inhabitants of this place, which was presented to me on the 3rd instant, as also a copy of the reply which I made to it.

I have, &c.
(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
Governor, Cape Town.

Inclosure 2 in No. 4.

To his Excellency Richard Southey, Esquire, C.M.G., Lieutenant-Governor of the Province of Griqua-Land West.

The respectful Address of the Bankers, Professional Men, Merchants, Claimholders, Dealers, Diggers, and others, inhabitants of Griqua Land West.

May it please your Excellency,

WE, the undersigned Bankers, Professional Men, Merchants, Claimholders, Dealers, Diggers, and other inhabitants, have seen with great surprise a Memorial published in one of the journals of this Province, addressed to Her Majesty the Queen, which is said to be in course of signature, and setting forth that the Government of this Province is maladministered, and that the Government majority in the Legislative Council has proved most despotic, and that the principles of our Constitutional Government have been subverted.

We feel called upon to express to your Excellency our regret that charges so utterly without foundation should have been made, tending not only to reflect upon your Excellency's administration, but calculated to convey to Her Majesty, and to persons at a distance, a false impression of the operations of the Government of the Province, and the spirit which has pervaded that Government since your Excellency's arrival here as its Chief Administrator.

We beg to express to your Excellency our admiration of the zeal which your Excellency has evinced for the general welfare of all classes of the community, as well as of the impartiality and ability, accuracy and justice, which have been the characteristics of your Excellency's administration from the date of your Excellency's arrival here to the present hour. Nothing has inspired us with more confidence in your Excellency than the care you have taken to prevent maladministration in every department of the public service; and it gives us much pleasure to testify that, so far from the Government majority in council having "proved despotic, and therefore subversive of the principles of Constitutional Government," in no single instance has the official element in the Legislative council been brought into collision with the elected members, and no measure has therefore been carried by the despotic exercise of your Excellency's casting vote, or in opposition to a decided expression of opinion by our representatives. In the aforesaid Petition to Her Majesty, the assertion "that a large number of natives in the immediate vicinity of this Province has declined to come under British rule, assigning as a reason want of confidence in the justice and integrity of this Government," is in direct antagonism to the truth. The natives have the greatest possible reason to be grateful for the protection afforded them under British rule, as administered by your Excellency's Government, and we have good reason to know that they are grateful, and that the strongest opposition to British rule has arisen in certain quarters because of the restraints which that rule imposes upon those who desire to exclude the natives from participating in the advantages of Government equally with other classes of Her Majesty's subjects.

So far from your Excellency's Government having created a feeling of discontent amongst the native tribes, it has been the means of inspiring the natives with confidence; and we are aware that several Chiefs have recently come here, with their Concillors, from territories far beyond our border, and prayed your Excellency to induce Her Majesty to annex their country, protect their people, and administer British law and justice amongst them.

Your Excellency's paternal regard for the coloured races has been a subject of general comment amongst the people of this Province, and it is unquestionable that the settlement of this Province under British rule has been the means of conferring upon the coloured races incalculable benefits, and has impressed them deeply with the advantages of civilization.

The assertion that the acts of your Government, with reference to the adjoining Republics, will operate most prejudicially against British rule, is a pure invention, as is also the 10th clause of the Petition to Her Majesty, which sets forth that your Excellency's Government has as yet submitted no proper statement of the finances of the Province to the public. The fact is, that a financial statement upon the model which obtains in all Colonies, was laid upon the table of the Council months ago. That statement showed the balance in hand when your Excellency took over the administration of Government from the late Commissioners, and shows from what sources all the items of revenue were derived, and how they have been expended.

It is stated in the beforementioned Petition to Her Majesty that "serious charges have been publicly brought against the Government on the Land question, and in the administration of justice." The general feeling is that the Province would have been greatly benefited if the titles to the land had been given out earlier, and the Crown lands occupied, but we have understood that the delay has not been caused by any want of diligence on the part of your Excellency or your Excellency's Government. And we repudiate the assertion that there has been a "maladministration of justice" as a wanton statement utterly without foundation. Nor are there any grounds for intimating to Her Majesty that there has been any "violation of British rights and liberties" by your Excellency or your Excellency's Administration. On the contrary your Excellency has watched for our rights and liberties with great jealousy, and we all feel that our rights and liberties will never be violated whilst your Excellency has the power to defend them.

The settlement of this Province has been of very recent date, and we know that your Excellency has had to contend with unprecedented difficulties since your arrival here; but no representative of the British Crown placed at the head of a Colonial administration was ever truer to his trust, more loyal to the British Constitution, more just and courteous in his dealings with the members of the public service, or worked more ably and untiringly in the interests of the general community, than your Excellency has done.

We beg to assure your Excellency that we have entire confidence in your

Excellency's administration, and our prayer is that your Excellency may have health and strength to work out the great measures which you have so wisely commenced for the extension of Her Majesty's dominions in Africa.

We have, &c.

(Signed) GOODLIFFE & Co.,
(And 200 other signatures.)

Inclosure 3 in No. 4.

Gentlemen,

Lieutenant-Governor's Office, Kimberley, December 8, 1874.

I HAVE the honour to acknowledge the receipt of, and to thank you for the address which was handed to me on Thursday last by a deputation, and which address is signed by a considerable number of gentlemen largely interested as Merchants, Bankers, professional Gentlemen, Claimholders, Diggers, &c., in the welfare and good government of this Province.

I am aware that this address has been called forth by the action of certain persons among us who, by dint of great exertions and an expenditure of money, have managed to obtain signatures to a petition addressed to Her Majesty the Queen praying for the appointment of a Royal Commission to inquire into alleged grievances with power to remove the present Executive and establish a new form of Government, and in which Petition representations are made which you regard, rightly I think, as calculated to mislead if allowed to remain unchallenged.

The views entertained by the petitioners appear to be, that the Executive Government should be guided by resolutions adopted at so-called "mass-meetings," notwithstanding that to act in accordance with such resolutions would be to violate the laws of the country. It is not long since, when there was a disturbance at Natal, that I was urged by some of the gentlemen who have taken a leading part in the proceedings which led up to the Petition, to deprive all coloured men in the camps of any guns they might have in their possession, no matter how honestly they may have been acquired, or the non-existence of any law to justify such a proceeding, merely because they were afraid that some of the guns might possibly find their way to Natal. Now they desire, among other things, that all coloured persons should be deprived of the privilege of taking out licences to work in the mines, and of other privileges which of right they possess as British subjects, and very oddly as it strikes me, in the face of their inability to induce me to deprive coloured persons of their rights and privileges, I am represented to Her Majesty as one whose conduct has made the coloured races dissatisfied with British rule.

I have endeavoured ever since I have had the honour to hold my present office, and I trust I shall continue to endeavour to uphold and maintain the majesty of the law without reference to class, colour, or condition, and to show that the Government has no more right to break the law than any individual member of the community has.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

To Messrs, Goodliffe and Co., J. B. Robinson and Co.,
Bayly, Tarry, and Co., Sonnenberg, Hartog, and
Co., J. W. Harsant, Esq., Jas. Ferguson, Esq.,
and the other gentlemen who signed the Address.

No. 5.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, February 4, 1875.

I HAVE to acknowledge the receipt of your despatch of the 4th of January,* with one from the Lieutenant-Governor of Griqua-Land West, forwarding an address which had been presented to him by a number of the inhabitants of Kimberley, in which they express their confidence in his administration, with a copy of the reply which he returned to it.

I am, &c.

(Signed) CARNARVON.

No. 6.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, February 10, 1875.

I HAVE to acknowledge the receipt of your despatch of the 7th of December,* with one from the Lieutenant-Governor of Griqua-Land West, forwarding a Petition signed by a large number of the inhabitants of the province, in which they pray for the appointment of a Royal Commission to inquire into their grievances.

2. I regret that discontent and distress should exist in the Colony. Independently, however, of those causes with which legislation may perhaps be incompetent to deal, the diminished value in the market of the products of the Diamond Fields must be expected to produce difficulties which only a revival of the demand for diamonds can thoroughly dispel.

3. With regard to the grievance alleged in the 6th and 7th heads of the Petition, I cannot believe that any promises were made by you as High Commissioner with reference to the Constitution of the Colony which were inconsistent with the course afterwards taken.

4. A statement of the revenue and expenditure of the Colony since the introduction of British rule should certainly be given. I have already, and apart from these questions, expressed to you my own feeling of anxiety as to the present financial position of the province, and my desire for much fuller and clearer information than I have yet received on so important a subject. I am glad to hear that such a statement is being prepared, and I have only to request that it may be forwarded to me without loss of time. It is important that the grant of titles to land should be expedited as fast as circumstances will allow.

5. I understand that the Petitioners are in error in supposing that any attempt was ever made by the Lieutenant-Governor to overawe or intimidate them, with a view to prevent them from freely discussing public questions, or making any representations thereon. It is unnecessary for me to say that I should most strongly disapprove of such a line of conduct, had it ever been taken.

6. With respect to the alleged defects in the Mining Regulations, I regret that a more specific statement of the Petitioners' views has not been laid before me, since in the absence of such statement, it is difficult for me to judge to what points I should direct my attention.

7. It would seem, however, that when the Mining Ordinance was passed, time was given for representations upon it to be made, and up to the present moment no remonstrances against its provisions from the general body of the claimholders has come before me.

8. I have given my best consideration to the statements made by the Memorialists, but I am not prepared at present to recommend the appointment of a Royal Commission for the investigation of the alleged grievances. You will be good enough to instruct Lieutenant-Governor Southey to inform the Petitioners that, whilst fully prepared to consider any temperate and reasonable representation of grievances, I am unable at present to recommend Her Majesty to accede to the prayer of their Petition.

I have, &c.

(Signed) CARNARVON.

No. 7.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, March 13, 1875.

I HAVE to draw your attention to my despatch of the 9th September last† on the subject of the finances of Griqualand West.

2. Not only have the inquiries made in that despatch remained unanswered, but the instructions conveyed in my predecessor's despatch of the 22nd of August, 1873, would seem to have been entirely overlooked.

3. I have, in my despatch of the 10th ultimo,‡ requested that the statement, now in preparation, of the Revenue and Expenditure of the Colony since the introduction of British rule, may be forwarded to me without loss of time, and I hope shortly to receive from you some information of a reliable nature, and in a clear and satisfactory form, as to the financial transactions of 1874, but long ere now the Estimates for the current year

* No. 1.

† No. 3.

‡ No. 6.

ought to have reached me, together with the information I desired regarding those of 1874.

4. I am bound to add that I feel no slight anxiety as to the present state and future prospect of the Griqualand finances, which is in no degree lessened by the very imperfect statements which I have received through you from Mr. Southey. There may be, and I trust are, satisfactory explanations to be afforded, but, for the time, I am wholly ignorant what these may be. Meanwhile I request that you will give this subject your immediate attention, and caution the Lieutenant-Governor to exercise the utmost care in dealing with the finances of the Colony.

I have, &c.
(Signed) CARNARVON.

No. 8.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received April 2.)

My Lord, *Government House, Cape Town, March 1, 1875.*

I HAVE the honour to forward a letter from the Lieutenant-Governor of Griqualand West, covering copy of the statement of the revenue and expenditure of that Province for last year.

2. I regret to observe that the results are by no means favourable.

3. The abstracts for the first three quarters of the year previously published, had given the revenue for that period at 46,000*l.*, and the expenditure at 54,000*l.*, thus shewing a deficiency of 8,000*l.*, but as the proportion of duty on bank notes was omitted, on account of which the Cape Government was willing, as I knew, to pay over 5,000*l.*, this did not appear very alarming.

4. For the whole year, however, the revenue, even including this item, amounted to only 65,753*l.*, in lieu of 83,000*l.* as estimated, while the expenditure, exclusive of that on surveys and public works, was 75,786*l.* as against an estimate of 78,750*l.*, there being thus a final deficit of 10,000*l.*, instead of a surplus of 4,250*l.* as anticipated so lately as in June last.

5. Mr. Southey has not yet forwarded the estimates of revenue and expenditure for the current year, no doubt because extensive reductions in the latter are still, as I have already informed your Lordship, under consideration, but as soon as I receive them they shall be forwarded.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 8.

*Lieutenant-Governor's Office, Kimberley,
February 11, 1875.*

Sir,

I HAVE the honour to acknowledge the receipt yesterday of your Excellency's despatch of the 4th of February, 1875, covering copy of a despatch received by you from the Right Honourable the Secretary of State for the Colonies of the 31st of December, 1874, in which his Lordship conveys his desire to be furnished, as early as possible, with a brief statement of the revenue and expenditure of this Province for last year in anticipation of the detailed Returns to be comprised in the Blue Book.

2. I have for some weeks now been engaged upon the preparation of official communications and financial statements intended for your Excellency's information, and soliciting instructions for my guidance in consequence of the disallowance by the Secretary of State of the Ordinance No. 15 of 1874, which authorized the raising of 25,000*l.* on loan for surveys and public works to be repaid out of land revenue. These communications and statements will be transmitted to you as speedily as possible.

3. In compliance with the Right Honourable the Secretary of State's desire, I have now the honour to transmit:—

1st. Statement as published at the end of November of the revenue and expenditure of this Province for the three quarters of the year commencing on 1st January and ending 30th September.

2ndly. A brief statement of revenue and expenditure for the whole year still subject to possible final correction.

4. These statements are, as pointed out on them, to some extent defective, inasmuch as they do not include on the revenue side certain amounts accruing to this Government but collected in the Cape Colony, respecting some of which the two Governments are in communication; nor on the expenditure side sums paid for surveys of land and for

construction of public works, which, according to Ordinance No. 15 of 1874, are made chargeable against the proceeds of Crown lands.

5. I am unable at present to furnish even an approximate statement of the account between the Province and the Cape Colony, as the basis on which the bank note duty received at Cape Town is to be shared between the two Governments is not yet fixed, and I have not yet received the bankers' returns of stamped cheques used here during the past year.

6. The amounts expended on surveys and public works during 1873, and charged as ordinary expenditure, but which should be recouped from the proceeds of land sales, is 6,905*l.*, and the expenditure on similar works during 1874 amounts to 12,190*l.*, full particulars of which will be communicated to your Excellency in one of my despatches now in course of preparation as before-mentioned.

7. By my despatch of the 24th December, 1874, in which I reported the result of a first attempt to dispose of lands on lease under the provisions of Ordinance No. 3 of 1874, your Excellency will have perceived that our Crown lands are very valuable, and that the expenditure that has been incurred as a charge against them can without difficulty be provided for.

8. By way of illustration I may mention that application has already been made for the conversion of two of the farms leased for twenty-one years on the 19th December last at 50*l.* and 35*l.* per annum respectively, from leasehold to perpetual quit rent tenure, the effect of which in this particular case will be that the Government receives 85*l.* for the first year's rent of these two farms, and also a capital sum of 1,416*l.* 13*s.* 4*d.*, which, if invested at 6 per cent. interest, will realize the same amount, while the annual quit-rent still payable will be 30*l.*, equal to 2 per cent. on the capital sum, while the expense incurred for their survey has also to be paid by the purchaser.

9. I intend to apply this capital sum and any other amounts that may be similarly received to the reduction of our debt to the banks for money obtained under security of the debentures which were authorized to be issued by the Ordinance No. 15 of 1874, which has since been disallowed.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c. &c. &c.

Inclosure 2 in No. 8.

STATEMENT of the Revenue of the Province of Griqualand West for the Three Quarters ended 30th September, 1874, not including items in account with the Government of the Cape of Good Hope.

No.	Heads of Revenue.	Quarter ended 31st March, 1874.	Quarter ended 30th June, 1874.	Quarter ended 30th September, 1874.	Total.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Land Revenue	196 0 0	60 0 0	75 11 10	331 11 10
2	Transfer dues	20 0 0	179 16 0	0 11 3	200 7 3
3	Auction dues	629 12 11	361 4 11	1,029 8 2	2,020 6 0
4	Stamped Licenses	4,229 4 1	5,826 10 0	3,557 12 6	13,683 6 7
5	Miners' certificates .. .. .	.. .. .	482 15 0	290 5 0	773 0 0
6	Registration fees (claims)	2,969 8 0	3,198 7 0	3,992 0 0	10,159 15 0
7	Transfer of claims	126 15 0	337 15 0	797 0 0	1,261 10 0
8	Other fees on claims .. .. .	.. .. .	19 0 0	101 5 0	120 5 0
9	Blank stamps	2,296 8 0	2,024 4 0	1,895 14 6	6,216 6 6
10	Postage	1,183 1 5	1,128 3 8	1,155 1 1	3,466 6 2
11	Registration of natives (contracts)	650 12 0	667 15 0	674 14 0	1,993 1 0
12	Judicial fines	837 1 10	902 5 10	400 1 0	2,169 8 8
13	Judicial fees	265 8 5	359 12 2	261 7 2	886 7 9
14	Fees of office	16 5 10	11 8 0	15 7 6	43 1 4
15	Fees on Post Office money orders	29 17 0	30 15 10	30 4 1	90 16 11
16	Produce of pounds	354 8 4	190 13 0	92 8 1	637 9 5
17	Market dues	549 5 2	625 18 0	312 14 2	1,487 17 4
18	Sales of claims .. .. .	.. .. .	77 18 9	.. .. .	77 18 9
19	Miscellaneous receipts	10 17 6	119 16 8	267 7 9	398 1 11
20	Sums refunded	96 1 1	20 0 3	3 18 6	119 19 10
	Totals	14,560 6 7	16,623 19 1	14,952 11 7	46,186 17 3

(Signed)

JOHN B. CURREY, *Auditor.*

Audit Office, Kimberley, November 27, 1874.

STATEMENT of the Expenditure of the Province of Griqualand West for the Three Quarters ended 30th September, 1874, not including the Expenditure on Surveys and Public Works chargeable against the Proceeds of Crown Lands.

No.	Heads of Expenditure.	Quarter ended 31st March, 1874.	Quarter ended 30th June, 1874.	Quarter ended 31st September, 1874.	Total.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Salaries, fixed	4,025 6 0	5,149 1 3	7,486 3 11	16,660 11 2
2	Salaries, provisional and temporary ..	711 7 3	640 17 6	1,030 12 6	2,382 17 3
3	Allowances	1,123 5 8	1,312 13 10	1,999 14 5	4,435 13 11
4	Police	2,790 10 6	3,020 9 3	2,952 18 1	8,763 17 10
5	Gaols and convicts	2,303 16 11	1,281 7 4	2,444 2 6	6,029 6 9
6	Hospitals	608 9 9	1,400 0 4	85 6 4	2,093 16 5
7	Conveyance of mails	1,090 12 4	1,103 0 0	1,089 14 0	3,283 6 4
8	Administration of justice	292 14 6	332 16 3	325 13 9	951 4 6
9	Rent	226 10 0	76 10 0	557 17 7	860 17 7
10	Office contingencies	800 19 4	435 0 7	544 10 5	1,780 10 4
11	Transport	221 15 10	595 17 6	614 11 3	1,432 4 7
12	Education .. ..	.. ..	.. ..	304 0 0	304 0 0
13	Aborigines	17 10 0	1,102 17 6	264 0 7	1,384 8 1
14	Special services	33 0 0	41 7 0	68 10 0	142 17 0
15	Miscellaneous services	33 8 6	263 1 1	267 18 10	564 8 5
16	Revenue services	8 7 3	14 6 6	41 5 6	63 19 3
17	Parliamentary	23 7 7	59 13 0	27 19 0	110 19 7
18	Refund of advances	245 7 3	125 15 4	41 12 10	412 15 5
19	Payments to owners of farms contain- ing public diamond fields	1,545 5 6	937 2 6	.. ..	2,482 8 0
20	Interest .. ..	.. ..	42 8 2	196 19 6	239 7 8
21	Office furniture .. ..	.. ..	108 17 3	.. ..	108 17 3
	Totals	16,101 14 2	18,043 2 2	20,343 11 0	54,488 17 4

(Signed) JOHN R. CURREY, Auditor.
Audit Office, Kimberley, November 27, 1874.

Inclosure 3 in No. 8.

COMPARATIVE Statement of the Estimated and Actual Expenditure of the Province of Griqualand West during the Year 1874, showing the Amounts actually brought to account, but not including Expenditure on Surveys and Public Works.

No.	Heads of Expenditure.	Estimated Expenditure.	Actual Expenditure.	Remarks.
		£	£	
1	Salaries	23,173	22,439	
2	Salaries provisional and temporary ..	1,510	4,096	Arrears of 1873; brought to account in 1874.
3	Allowances	5,064	6,094	Same observation.
4	Police	14,000	11,643	
5	Gaols and convicts	8,500	9,011	
6	Hospitals	4,000	3,116	For gaol hospitals and native infirmary only.
7	Conveyance of mails	4,000	4,350	
8	Administration of justice	2,000	1,554	
9	Rent	1,000	1,268	
10	Office contingencies and furniture ..	2,500	2,597	
11	Transport	1,000	1,542	
12	Education	1,000	304	Proposed grants not made.
13	Aborigines	1,000	2,035	
14	Special services	1,500	145	
15	Miscellaneous services	1,000	841	
16	Revenue services	200	92	
17	Parliamentary	300	733	Cost of printing.
18	Refund of advances	5,000	..	Accounts still in suspense.
19	Payments to owners of farms contain- ing public diamond fields ..	2,000	2,482	
20	Interest .. ..	..	828	
21	Sums refunded .. ..	..	616	
		78,747	75,786	

(Signed) JOHN B. CURREY, Auditor.
Audit Office, Kimberley, February 13, 1875.

Inclosure 4 in No. 8.

COMPARATIVE Statement of the Estimated and Actual Revenue of the Province of Griqualand West for the Year 1874, exclusive of sums received by the Government of the Cape of Good Hope.

No.	Heads of Revenue.	Estimated Revenue.	Actual Revenue.	Remarks.
		£	£	
1	Land revenue	1,500	388	Deficiency owing to non-occupation of land.
2	Transfer dues	1,000	226	Same remark.
3	Auction dues	3,000	2,345	Deficiency owing to depression of trade.
4	Stamped licenses	20,000	16,630	Deficiency caused by reduction of number of public-houses.
5	Miners' certificates	2,000	1,047	Deficiency caused by certificates being taken for quarter instead of year.
6	Registration of claims	15,000	13,294	Deficiency caused by depressed state of Du Toit's Pan Mine.
7	Transfers of claims	500	2,257	Surplus owing partly to speculation in claims and partly to claims being transferred as securities for advances.
8	Other fees on claims	300	282	
9	Blank stamps	16,000	7,935	Deficiency caused by stagnation of the gun trade and rejection of proposed increased duties.
10	Postage	6,000	4,655	Deficiency attributed to continuance of free State Post Office
11	Hospital fees	2,500	94	Deficiency caused by Ordinance 2 of 1874 not being in force.
12	Registration of natives	2,500	2,675	
13	Judicial fines	3,000	2,931	
14	Judicial fees	750	1,173	
15	Fees of office	300	60	
16	Fees on Post Office money orders	100	133	
17	Produce of pounds	1,500	730	Deficiency caused by farms not being occupied.
18	Market dues	2,000	1,856	
19	Sales of claims	1,000	180	No new ground sold as was contemplated.
20	Miscellaneous	1,000	714	
21	Sums refunded	250	148	
22	Bank-note duty	2,000	..	Account still in suspense with Cape Government.
23	Bank cheques	800	..	Returns not yet received.
		83,000	59,753	
	Probable amount of bank-note duty .. ..	..	5,000	
	Ditto of stamps on cheques .. ..	..	1,000	
	Probable Total Revenue .. ..	..	65,753	

(Signed)
Audit Office, Kimberley, February 13, 1875.

JOHN B. CURREY, Auditor.

No. 9.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 4.)

My Lord,

Government House, Cape Town, March 15, 1875.

I HAVE the honour to forward copy of the speech with which the Lieutenant-Governor of Griqualand West opened the Session of the Legislative Council of that Province upon the 5th instant.

2. Trusting that your Lordship will approve of the way in which Mr. Southey performed the delicate duty which thus devolved on him of announcing the disallowance of the principal Ordinances of the preceding Session.

I have, &c.

(Signed)

HENRY BARKLY.

Inclosure in No. 9.

Honourable Gentlemen of the Legislative Council,

I SHOULD have requested you to meet me some weeks earlier in the year, but from my desire to be in possession of the final decision of Her Majesty upon all the Ordinances passing during last Session before we entered upon new legislation, or proceeded to amend laws which I consider required to be amended, or to portions of which technical objections had been raised by the Right Honourable the Secretary of State for the Colonies. This final decision has only recently been received by me.

We all of us felt, I think, during the last Session, that our legislature upon some matters which the exceptional circumstances of the Province appeared to us to justify, and, indeed, to render necessary, might be regarded at a distance as open to objection in some particulars. Yet, for myself, I must say, that although I was prepared to find that we might be required to modify or amend portions of our Ordinances, I did not anticipate that any of them would be entirely disallowed. In this I have been disappointed.

You are already aware that Ordinance No. 5, entitled an "Ordinance to rescind and repeal certain alleged Proclamations of the Commissioners, administering the Government of Griqualand West, dated the 17th of November, 1871, and for other purposes," was disallowed, and that its disallowance was duly notified in the "Gazette."

I have now to acquaint you the following Ordinances have met with similar disapproval at the hands of the Secretary of State, viz., Nos. 9 and 15, whilst Ordinance No. 12 has, upon an expression of opinion by the Secretary of State, not received the assent of his Excellency the Governor on behalf of Her Majesty. Those Ordinances are entitled, respectively, an "Ordinance to empower the Governor of Griqualand West to issue Proclamations regulating the amount of stand licences on diamondiferous farms in the Province of Griqualand West, and also for other purposes;" "an Ordinance to authorise the raising upon loan of a sum not exceeding 25,000*l*;" and "an Ordinance to empower the Governor of Griqualand West to expropriate land in the said Province for purposes of public necessity and utility."

It will thus be seen that three Ordinances, Nos. 5, 9, and 12, affecting questions connected with land, and especially questions connected or possibly connected with lands claimed as private property, and containing precious stones or minerals, have failed to obtain the favourable recommendation of the Secretary of State.

The reasons assigned for the disallowance of Ordinance No. 5 have been already made public. As regards Ordinance No. 9, the Secretary of State, whilst conscious of the difficulty which its disallowance may entail, and admitting that the principle of the Governor being enabled to take possession of, and use land, wood, or water, the property of private individuals, on public grounds, for public purposes is correct, is nevertheless of opinion, 1st. That the purposes for which such lands may be taken should be stated more specifically than in the Ordinance in question; and, 2nd. That clear provision should be made for compensation to the owners. His Lordship at the same time suggests that more guarded legislation in this direction may still possibly be expedient, and expresses a hope that the inconvenience caused by the disallowance of the present Ordinance may only be slight and temporary.

Ordinance No. 12 has been found open to the same objections as Ordinance No. 9, viz., a want of clearness in the definition of the public purposes for which private properties may be expropriated and insufficient guarantees for compensation.

The other Ordinance which has been disallowed is No. 15, for authorizing a loan of 25,000*l*., and in requiring amended legislation for borrowing purposes, the Secretary of State has pointed out the particular respects in which the form of the Ordinance of last session has appeared objectionable to Her Majesty's Advisers. Ordinances, which it is hoped will be found more in accordance with approved forms, will be submitted to you without delay for securing the public creditors, and providing the funds necessary for certain specific purposes, and I feel confident of your cheerful assistance in endeavouring to enact satisfactory measures for effecting those objects.

It will be observed that the subjects on which Her Majesty has most severely criticised our legislation, are, 1st. Matters affecting private property; and, 2nd. Financial arrangements affecting the whole body of tax-payers; and I think that in view of the peculiar Constitution of this Legislature, and the danger of hasty legislation in a single Chamber of only eight members, the Queen's subjects in this Province may well feel grateful for the care and pains bestowed on the examination of all Ordinances passed here before they receive Her Majesty's final confirmation.

One of the most important enactments of last session, and the one which remained longest under the Secretary of State's consideration, is the Ordinance No. 10, commonly denominated the Mining Ordinance. Objections were raised to the 18th Section of that Ordinance in particular, and some other proportions of it which provided penalties for contraventions of certain of its sections seemed to his Lordship to admit of excessive punishments being inflicted. I was called upon to afford information respecting the 18th section, and after the receipt of my Report the Ordinance was confirmed as passed. I expressed my opinion that the time had not yet arrived when, consistently with a due regard to the interests of this Province, or of South Africa generally, the diamond mine might be allowed to be possessed by one or two companies. I believed then, and still (although I am a strong advocate for free trade generally), that the immense wealth yet to be obtained from our diamond mines should be carefully guarded, in order that the people of South Africa may derive the profits accruing from them, rather than that such profit should go out of the country to foreign Companies.

Some progress has been made with land matters since we separated in August last. In that month I appointed a Commission consisting of the Honourables the Secretary to Government, the Attorney-General, and the Provincial Treasurer, to examine and report upon all claims that had been filed with the late Land Commission, or subsequent to the abolition of that Commission sent in to Government. The duty thus imposed upon the above-named Executive Officers has been very laborious but the examination of the documents, and the classification and registration of claims, have been completed, and I shall lay before you the Report of the Commission, with an analysis of the claims to land in this Province.

It has however been found impossible for any Commission not invested with full judicial powers, to deal with many of the claims set up, and a draft Ordinance will be submitted to you to authorise the Governor to confer judicial functions upon one or more officers to be appointed a Court of First Instance with power to inquire into and summarily decide and adjudicate upon all claims to land which may be submitted to it, subject, in every case, to an appeal to the High Court. I commend this measure to your most favourable consideration; for, whilst I am satisfied that nothing short of quasi-judicial proceedings can properly dispose of the numerous conflicting claims to land in this Province, I am also convinced that a sense of justice to the claimants, who have waited so long for a decision, demands that the procedure shall be simple, speedy, and inexpensive in the first instance, leaving an appeal to the more formal and purely legal process of the Law Courts.

If a Land Court such as is proposed be established, it will, I hope, in a few months set definitely at rest the doubts and suspicions, the heart burnings and jealousies which, since 1871, have disturbed men's minds in respect of lands of the Province, whilst settling within our borders a class of resident landowners (the best guarantee for the maintenance of law and order) will enable the Government to receive the large revenue which the proper occupation of the country cannot fail to produce.

A Commission has also been appointed, consisting of the Surveyor-General (Mr. Orpen), Captain Waterboer, and Mr. Wright, especially to mark off the outer (or line) boundaries of farms or other allotments belonging to Griquas in the South-western portion of this Province. I found on my visit to Griquatown in October last that the Griquas residing in that part of the Province were very desirous of obtaining titles to their lands, and as it was impossible to arrange for an early survey of them, I proposed, and they agreed to, an arrangement which would, when completed, enable the Government to issue provisional titles, sufficiently definite to guard against after disputes among themselves or between them or others to whom any of them might dispose of their rights before a regular survey can be made. This commission has entered upon its duties, and will proceed with them as rapidly as possible.

You are aware that a survey has been made of the country between the Hart and Vaal Rivers, and that it had been divided into about 90 farms of 3,000 morgen each, or thereabouts, with a view to its being allotted to claimants or otherwise disposed of. That land has not yet been alienated in any way. It was ascertained during the survey, that a considerable number of natives were occupying parts of it, and we knew that claims had been filed with the late Land Commission for a much larger number of farms than the country referred to could provide, hence it has been deemed expedient not to attempt any settlement of the rival claims, or to determine what natives ought to be provided with land, until the merits of the claims filed by Europeans shall have been inquired into, and adjudicated upon by the Land Court, which it is proposed to establish.

During last year a survey was made of the open country, West of the Hart and Vaal Rivers, and 72 farms laid out with a view to their being disposed of on lease under

the provisions of the Ordinance No. 3 of last Session. Of the 72 farms surveyed 50 were offered for lease on the 19th of December last, and 34 disposed of at an annual rental of 1,627*l*. Twenty-two were held in reserve, pending inquiry into claims that have been made for them, and also to provide for natives who have occupied portions of the country, but not laid claim to any particular spot. Further surveys are being made in the same locality, and another batch of farms will be offered for lease in June next, care being taken as before, to hold over such as have been claimed by Europeans, and also to reserve sufficient land for native inhabitants.

The farms in South Albania granted on lease to British subjects by the late Griqua Government, have also been surveyed, and formal deeds for issue to the owners of them will be prepared as soon as the surveyor sends in the diagrams.

The accounts of revenue and expenditure for the last year will be laid on the table, and the estimates for the current year are being prepared, and will be submitted to you in a few days. The accounts for last year exhibit a considerable deficiency in the revenue as compared with the estimates. This is partly to be attributed to the Government having, after the estimates were framed, abandoned its intention of increasing the gun and some other duties, in deference to the representations made by, and on behalf of the mercantile community, but mainly to a falling off of trade caused by circumstances which could not be controlled, such as large portions of the mines being covered over with water many feet deep, and the claims therein rendered unworkable for several months in consequence; the heavy expense to which claimholders have been put to clear their claims from the accumulations of water and of fallen reefs; and the low price of diamonds in the English and other markets. These circumstances and others with which I need not now take up your time, have pressed heavily upon our community, and the public revenue had to bear its share of the general depression.

The expenditure in the aggregate has been kept within the amount authorized by the Council's votes, but it has exceeded the revenue because of the falling off in it to which I have adverted; and as I cannot hope that the ordinary revenue of the current year will be more than equal to what was received last year, I have obtained the authority of his Excellency the Governor for making certain alterations and reductions in existing establishments, by which I hope to effect considerable savings without any serious injury to the public service. These proposed changes will be explained to the Council when it is asked to go into Committee on the Estimates, and at the same time full information will be given respecting the revenue and expenditure generally under their various headings. Our last Session occupied nearly eight months of your time, and our legislation, which extended over a great many subjects, is as yet, in some respects, only beginning to come into operation. I hope to be able to relieve you this year in a very much shorter time; and in view of what I have said as to the effects of last year's measures being as yet scarcely ascertained, I may add that I do not at present propose submitting many new Ordinances for your consideration. The mining rules, it was from the first anticipated, would require careful annual revision, and some modification in those passed last year will accordingly be submitted by the Government, which will be glad also to give its best consideration to any changes which the practical experience of the unofficial members may enable them to propose.

No. 10.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 4.)

My Lord,

Government House, Cape Town, April 5, 1875.

REFERRING to my despatch of the 27th February,* as to the situation at the Diamond Fields, I am sorry to have now to report that a very unsatisfactory state of things has arisen at Kimberley, where the "Diggers' Protection Association" has been arming and drilling its members and marching about the streets in open defiance of a warning Proclamation issued by the Lieutenant-Governor.

2. The principal causes which have led to this display of physical force under direction of Messrs. Tucker, Ling, Aylward, and others, who have for some time past been in violent opposition to the local Government, will be found fully detailed in Mr. Southey's despatch of the 20th ultimo, of which, as well as of my reply thereto, copies are transmitted herewith for your Lordship's information.

3. The immediate occasion for it seems, in reality, to have been the fear which these persons entertained that a judgment obtained by the proprietors of the farm

* Not printed.

against the second of their number, Ling, for arrears of stand licenses for lots hitherto occupied by him rent-free as a digger, would be executed by the Sheriff, backed up, if needful, by the civil power.

4. This, however, is studiously kept in the background in the mock counter-Proclamation, under the Royal arms, &c., which they had the audacity to issue, and a variety of vague charges against the Lieutenant-Governor are put forward in its stead, the utmost loyalty and affection to the Queen being professed at the very moment when resistance to the law was evidently contemplated.

5. It will be seen from the correspondence forwarded that Mr. Southey concludes by expressing a hope that arrangements would at once be made for ensuring, as quickly as possible, the presence of such a force as would convince the disaffected that resistance to the constituted authorities was hopeless, but that, before I had had time even to consider this requisition, I received from him a telegram dispatched on the ensuing day to the station at Colesberg, on the frontier of this Colony, begging me to take no action till I heard from him again.

6. It appears, from subsequent accounts, that efforts have been not unsuccessfully made by some of the leading men of business in the town to induce the more moderate members of the Diggers' Association to adopt the constitutional course of applying to Mr. Southey as private citizens for an interview, in order to explain their alleged grievances, and although the use of the word "deputation" in their letter had retarded, so far, the meeting, I felt confident that it would eventually take place and be productive of beneficial results; for if once the respectable portion of the digging population could be persuaded to let the law have its course and to separate themselves from the small band of Fenians and German Red Republicans who have taken advantage of the opportunity in the hope of creating a disturbance, all serious danger would be at an end.

7. I am still sanguine, therefore, that matters will be settled without bloodshed, and, as it would take nearly a month for troops to reach the spot, and they would thus be too late to affect the issue one way or another, I deem it more prudent to await further intelligence before deciding on sending them; and have confined myself accordingly to conferring with the Lieutenant-General commanding as to the plan of operations to be adopted should an emergency unfortunately, contrary to my expectations, arise.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 10.

*Lieutenant-Governor's Office, Kimberley,
March 20, 1875.*

Sir,

WITH reference to previous despatches in which I have laid before your Excellency the position of affairs in this Province, and more particularly to my despatch of the 4th ultimo, in which I pointed out the course which would probably be taken by the disaffected portion of the population to bring about a state of things which would demand energetic measures on your Excellency's part to uphold the dignity of Her Majesty's Government, I have now the honour to report that matters have progressed in the direction I then indicated more rapidly than I expected, and under the influence of circumstances which I did not then foresee or anticipate.

2. A Mr. Ling, a digger, was sued by the owners of the farm on which the Kimberley mine is situate for ejectment. He occupying ground in the township for which he refused to pay rent, alleging that "Diggers' rights" entitled him to a dwelling site, and that the fact of the town growing up round his original location, and making it valuable, did not in any way affect his position. Ling is an uneducated but intelligent man, who, as I am told, before coming here, kept a roadside inn somewhere in Natal. Here he has always been foremost in standing up for Diggers' rights, and in uncompromising hostility alike to the Government and the owners of property. In the case in question, judgment having been given against Ling, he and his supporters immediately let it be known that he would not submit to it, and it has not as yet been enforced. The proprietors have, with my concurrence, refrained from actually putting the writ of ejectment into the Sheriff's hands, partly to avoid a collision, for which we are unprepared, and partly because negotiations have been opened for the sale of the property. I have been the more inclined to approve of delay in this matter, as I feel that the Government would be placed in the worst possible position, in having to contend with the mass of the people for the rights of the proprietors, who meet with but little sympathy here at any time, and

who, since the disallowance of Ordinance No. 9 for regulating stand rents, are generally regarded as public enemies.

3. The "Diamond Field" newspaper, which is the organ of the disaffected, was, whilst Ling's case was being heard, publishing such continual falsehoods regarding the Crown lands recently disposed of and about to be offered for competition, that I was advised to take some steps to check, if possible, the depreciation in the value of our only securities which such persistent misrepresentation was calculated to cause, and the Acting Attorney-General finally took proceedings against the publisher of that print for seditious libel, in stating that "our nefarious Rulers" were about to attempt another "swindling land sale."

4. The judgment in Ling's case, and the prosecution of the publisher of the "Diamond Field," though no connection exists between them, seem to have furnished an opportunity to the leaders of the disaffected party, of which they eagerly availed themselves, and placards appeared calling on the people to meet *en masse* to protect the rights of the diggers, which were invaded by the proprietors, and the liberty of the press, which was threatened by the Government.

5. The meeting, which was called for the 27th ultimo, was a failure, owing to wet weather, and was adjourned until the evening of the 3rd instant, when it took place in the Kimberley Hall, a large building used for public entertainments, and was addressed by Henry Tucker, Aylward, Blanch, and other speakers, whose resolutions were, as usual, carried unanimously. Aylward closing the proceedings by calling on all the diggers to come armed with their rifles and revolvers on his hoisting a black flag at the mine.

6. There has been so much talk of this kind, that I was not disposed to pay much attention to it; but on the 16th instant, I received positive information that men were being enrolled and drilled. On the 17th instant, ball-cartridges were issued by Aylward to his men, at a night meeting; and on the 18th there was a public drill by moonlight, three parties of infantry and one of mounted men taking part in the proceedings, and parading the streets with arms in their hands.

7. The position of affairs was now causing considerable alarm amongst bankers, merchants, and others engaged in business, and deputations waited on me, urging me to take measures for ensuring peace and good order.

8. I was unwilling to do anything which might tend to cause a collision, for there was no disguising the fact that the Constabulary was numerically too weak to cope with the hostile organization, and there was left only the choice between swearing in special constables, and enrolling a volunteer armed force, for the preservation of order. The result of enquiries which I caused to be made seemed to show that the former could not be relied on as a means of putting down men already armed, and I was anxious to avoid the latter alternative if possible. There would of course be a risk of driving the malcontents to action before our organization was sufficiently developed to repress them. There would be the possibility of a failure in our attempts to raise such a force in sight of the attitude of the opposition, and such a failure would be most disastrous. There would be the great danger of unnecessary bloodshed, if opposing bodies of armed but undisciplined men were brought suddenly face to face. And, finally, there was the fact that no overt act had been committed beyond the drilling and arming, the former of which was a farce, and the latter a mere form, in a community where almost every white man has weapons at hand for his protection.

9. After such consideration as the shortness of the time permitted and consulting with my Executive Council, and several gentlemen who waited upon me in the interest of the public tranquillity, I determined on confining my action for the present to issuing a Proclamation warning all persons against illegal enrolment, drilling, and arming, in the hope that the misguided persons who had joined the movement would take warning and relinquish a course which, if pursued, must place them in direct hostility to Her Majesty's Government.

10. The Proclamation appears in this morning's "Gazette," and at the same time appeared in the "Diamond Field" a Manifesto signed by Tucker and Ling, as Chairman and Treasurer of the Digger's Protection Association, in which no mention is made of the cases of either Ling or Taylor which had formed the pretexts for the mass meeting, but in which it is affirmed that by thefts and irregularities on the part of the natives, with other causes the rights, property, and liberty of the diggers are in danger, and it is announced that, "the Council of the Association will direct necessary patrols to be made and other measures to be carried out;" in other words that these persons will assume the functions of the Government.

11. This evening the organized bands, both of cavalry and infantry, have paraded and drilled by daylight, and Tucker and Ling have issued a counter-proclamation to

mine, in which certain charges are made against me, and an intention is notified of inducing Her Majesty's subjects to unite for the preservation of their rights and liberties, "ignoring and disavowing all treasonable intent."

12. As regards the charges made against myself in this document, it cannot be necessary for me to tell your Excellency, who has been kept thoroughly acquainted with passed and passing events in this Province, that the allegations contained in it are in the main unfounded in fact. Neither the rights nor the liberties of Her Majesty's subjects in this Province have been in any way disregarded by the Government; and, as regards the assertion that the British flag has been brought into contempt among the native tribes, you know that the contrary is the fact, and that this Government is on the most friendly terms with the various Chiefs beyond our borders, that, indeed, it is because this Government insists upon the rights and liberties of all Her Majesty's subjects, as well people of colour as white people, as also those of the natives belonging to tribes beyond our borders who come here to work in the mines, being respected, that the section of the community represented by Messrs. Tucker, Aylward, Ling, and others is dissatisfied.

13. You are aware that before my arrival here, the same section of this community compelled the Commissioners administering the Government, by an exhibition of similar force to that now sought to be exercised, to issue a Proclamation depriving all coloured persons of the mining licenses which they then held, and providing that for the future no person of colour should be eligible to have or hold such a licence: and you know too, that ever since my assumption of office, attempts have been made by Petitions and also by threats to compel me to adopt the same course, which I have steadily resisted. It is because I insist upon upholding the rights and liberties of the whole community, and not merely of one section of it, that I am charged by these men with bringing the British flag into dishonour.

14. It is true that I declined to receive a deputation from an illegally constituted body, with Messrs. Tucker, Aylward, and Ling at its head, as I reported to your Excellency, in my despatch of the 5th of September last, I had done, and I have adhered to the resolution not to recognize an association banded together illegally and seeking to force the Government into compliance with unlawful demands; but I have never refused to meet deputations from lawful bodies nor individuals who have sought for personal interviews on lawful subjects. Such interviews are of daily, almost hourly, occurrence.

15. The only charge which may possibly appear to your Excellency to require some explanation is that of my having caused attacks by armed men to be made upon diggers and their servants when pursuing their lawful occupations, and the only foundation for this appears to be the fact that the mining surveyor, when engaged in seeing that the native servants employed in the mining area were duly registered according to law, was accompanied by two mounted policemen who, as usual when on duty, carried their revolvers in their holsters.

From what I have stated it will be seen that Tucker, Ling, and a few other men who have nothing to lose, and think by bringing about a state of things which, whilst paralyzing all law and order, may possibly give them for a time a commanding position, are, apparently, determined on attempting to overthrow the Government on any pretext, and I must impress upon your Excellency that a collision, of which I cannot foretell the issue, is imminent.

16. Having in my despatch of the 4th ultimo, already referred to, urged upon your Excellency the necessity of being prepared to take prompt and energetic measures, I can only express the hope that arrangements may at once be made for ensuring as quickly as possible, the presence of such a force here as may convince the disaffected that resistance to the constituted authority is hopeless, and dispel the illusion which has always filled the minds of Ling and his associates that Her Majesty's Government exists here only upon sufferance.

17. I shall in the meantime do all in my power to maintain order. I have moved the Government arms and ammunition to the Police Barracks for safety; and I have secured the services of about fifty steady men, mostly old soldiers, who will, if necessary, be immediately armed and placed under the command of Captain J. Carr, as a support to the constabulary, who are only thirty strong, and to form the nucleus of a volunteer force.

18. In conclusion, I must draw your Excellency's attention to the significant fact that the present agitation, which was commenced on definitely stated grounds before I delivered my opening address to the Legislative Council, has since that time not only increased immensely in vehemence, but has been transferred to other and general grounds, the present allegation being not that a digger is to be ejected from a particular stand at

the instance of the proprietors, but that the security of life and property as regards the whole community, is jeopardised by the feebleness of the Government.

19. I annex, for your Excellency's information, a copy of the "Diamond Field" giving an account of the meeting at Kimberley Hall; a copy of the Manifesto of Messrs. Tucker and Ling; a copy of my Proclamation and of that issued by Tucker and Ling, and a copy of the Report sent in to me to-day by the Inspector of Constabulary.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor*.

His Excellency Sir Henry Barkly, K.C.B., G.C.M.G.,

&c.

&c.

&c.

Inclosure 2 in No. 10.

Extract from the "Diamond Field."

MASS MEETING. EBDEN *v.* LING.—THE LIBERTY OF THE PRESS.—THE meeting which was called originally for Saturday last, but postponed in consequence of the weather, was held on Wednesday evening in the Kimberley Hall, which was crowded from door to platform.

Mr. Henry Tucker was called to the chair by acclamation. In opening the proceedings he said: I am glad to see so large an assemblage. I regret that the weather on Saturday prevented the meeting being held in the open air, as we should then have had a much larger gathering, and many would have been present from the other camps who could not be expected to attend this evening. It has been said of our political movements that it is the interest and the wish and desire of the movers in this agitation that a rowdy system should prevail. I challenge those who make this charge to show an instance in any single act of violence, and I should like to know in what other country in the world such wrongdoing would be submitted to without acts of violence resulting. (Cheers.) No injury has been done to individuals, or Government, or proprietors, although sufficient provocation has been given by both the latter for serious retaliation. There is no wish to rouse ill-feeling, and the charges made cannot be substantiated. You will have gathered from the advertisement what we are to consider to-night. Upon one thing, if you are the men I have gauged you to be, you are pretty well decided. That is the matter of *Ebden v. Ling*. Mr. Ling is respected as an old digger, and partaker in all our political movements. In private life he is irreproachable. He is entitled to your sympathy and protection, and I expect you will protect him as one of yourselves. His present position has not been brought about by ill-judged feelings, but he has taken a decided stand in the interests of the diggers. (Cheers.) His position is extraordinary and seldom met with. The Government professes to intervene. For all they have done we may thank them. The favours may be small, but still we must be grateful. If the Government is not prepared to go further, it will be necessary for all Mr. Ling's friends to take up his case and protect him. (Cheers.) We have been told on high authority that the diggers should protect themselves from unjust laws. The advice did not come from our side. It came from the other, and has since been considerably qualified, and we are now told it must only be by constitutional means. Gentlemen, I would ask if acts of oppression have always been rectified constitutionally? Our opinion has been that we should exhaust the law before coming to a rupture. Since gaining their case, it has been stated that the proprietors do not intend to pursue the diggers generally, but that they will follow up Mr. Ling to the bitter end. You will not be taken in with that chaff, or allow yourselves to be cut up in detail. An agent of the proprietors has said that they will take up Mr. Ling's house and pitch it into the street. That was said after notice of appeal. That we did not expect. We had no intention at first of opposing the law; but, if action is to be taken, it will be necessary to stand between Mr. Ling and his persecutors. (Cheers.) Gentlemen, I think you know me pretty well, and you will be sure that I should not have told you this if we did not intend to carry it out. If the appeal is allowed, matters may stand over for a time; but the necessity is not less strong that, whatever may be the result of the appeal, we should stand by each other to the end. (Cheers.) We have had enough of waiting and expectation. Mr. Froude was well received here, and one of his first inquiries was as to the preparedness of people on the Fields. [Great interruption for some minutes in consequence of a cry of "fire" being raised outside the building. A great number of people rushed out to render assistance.] That cry has, I believe, been raised simply to create a disturbance. If gentlemen want fire they shall have it (a storm of cheers), and when the time comes for it they will find

that we can stand fire as well as they can. But now, to return to business. I have spoken of Mr. Ling's matter. There is another matter of a different kind to be brought before you. Proceedings have been taken by our high, mighty, and potent Government against Mr. Taylor, the publisher of the "Field;" and I have every reason to believe that the result will be most favourable, and delightfully against the promoters. They will find that they have reckoned without their host. (Cheers.) What chance would there have been of your opinions being heard but for the "Diamond Field" and the "Mining Gazette?" (Cheers.) I claim for those papers the merit of having advocated liberty of speech, and they should receive at your hands that moral support which is due to them. (Cheers.) Had Mr. Taylor uttered or published a wicked and malicious libel against the Government, I should say let him be punished, but you must discriminate between a wilful libeller and a man who publishes statements made to him *bonâ fide*. The attack on Mr. Taylor opens up the whole land question. It is a peculiar and extraordinary question, and land in this country has given rise to as much wickedness as diamonds have. You will have an interest in the trial of Mr. Taylor in gaining an accurate knowledge of this mysterious land question. I do not wish to say anything that may be unfair; I wish to be impartial, and to say nothing that may aggravate. Who the great sinners may be, I don't know. Broad statements have been made about gentlemen in high positions, whether true or not I cannot say. Still, one cannot help thinking that where there is so much smoke there must be some fire. I hope everything connected with the land question will be brought out in detail. The Government will attain this result by their prosecution; but now the land question will be brought out in all its beauties or all its deformities, whichever may be the most prominent. It is more necessary in Griqualand than in any other part of Africa that we should take a decided interest in this prosecution, and by attending the Court during the proceedings keep things in the right groove. It will show that there is a public opinion on these Fields, and that we are not so engrossed with business as not to be able to give time to other matters. You know what subjects are before you, and I have only to thank you for the kind attention with which you have listened to me. I would merely add that there are some people who will repeat that the meeting was composed of some hundred rascallions. You will therefore adopt a grave demeanour, knowing that severe critics are watching you. (Loud cheers.)

Mr. Aylward.—I have been deputed by the gentlemen who were elected as your delegates on the 7th November to propose a Resolution in the interests of the diggers and the general public. Those delegates, thirty-three in number, were elected, as you will remember, at a mass meeting on the Market Square, and the duty allotted to them was to conserve the rights of the diggers as well as of all other persons. I believe, Mr. Chairman, that you will bear me out in saying that I am sent here as their deputy to-night to propose a method of resisting any infringement of the rights of the people. The first question of course is, Have we any rights at all? I may just mention that, at the same time that I was deputed to move the Resolution which I will presently read to you, I was requested to offer seats upon the platform to Mr. Barry and to the Government officials (cheers). It was desired to show them that we do nothing behind their backs. I issued cards to all those persons who are likely to oppose our proceedings. They are not here. The fact of their non-appearance may be construed as an acknowledgment that we have some rights. If we had no rights they would now be sitting there behind Mr. Tucker (cheers). Not one of them is here, and yet they have nothing to fear. They will not meet with either rowdism, or scurrility, or impertinence; and I am quite sure that, if they could prove Mr. Ling to be in the wrong, you would be quite willing to abandon the position you have assumed (cheers). In Mr. Ling's case four or five principles are involved. In the first place this is disputed territory, and it is a question whom we are to obey. I speak advisedly, but strongly. I pay respect only to the Orange Free State. Under it we claimed more rights and were subject to far less taxation than from the present Government; not that I would desert one flag for another for a paltry matter of a 10s. claim licence; but when I came here I found the Free State in possession, and that Government said to the diggers, "Make what arrangements you please with the proprietors, and we will confirm them." On the 12th May, 1871, arrangements were made with the proprietors of Dorschtfontein, and certain rights confirmed to "Old Briefje" holders. Shortly afterwards, at a meeting at Bultfontein dam, when Mr. Truter was present, Diamond Fields were proclaimed to be open to all comers. Unfortunately, the British Government came in in the interests of Christianity, civilization, and Cape smoke (laughter and cheers). They came also to protect a person of the name of Waterboer. I have not yet seen that individual, but I live in the hopes of seeing the wire-puller to the Griqualand Government. Besides protecting Waterboer, they promised to conserve all rights; and in fact, if they could have been believed,

everyone was to have been made universally happy (laughter). I did not believe it though. Then we had a Commission in open hostility to the people. And now we have from one of the Commissioners, Mr. Thompson, who by some mistake of his masters has been elevated to the Bench, the following extraordinary statement: "I have an official recollection that at the time referred to the proprietors, at the special request of the Government, were acting with great forbearance as to their rights. There were many rights that they did not insist upon, as, for instance, the right to increase the digging licence to 50*l.* per month if they so pleased, a right which there is no disputing." And Mr. Thompson having delivered himself of that opinion, up went the moustache (laughter). There he was speaking as a Judge and not as a Commissioner; but I really don't think he knew in what capacity he was speaking. I will now read the Resolution:—

"That this meeting regards the decision of the case *Ebden v. Ling* as an infringement of the rights of diggers, and hereby expresses its disapproval of the words reported to have been used by the Acting Recorder in the course of the trial, as follows: 'Well, that perhaps does not matter so much. I have an official recollection that at the time referred to, the proprietors, at the special request of the Government, were acting with great forbearance as to their rights that they did not insist upon, as, for instance, the right to increase the digging licence to 50*l.* per month, if they so pleased; a right which there is no disputing.' Such an expression of opinion being, in the opinion of this meeting, premature, and calculated to depreciate the value of claim property."

I apprehend there is nothing inflammatory or rowdy in that, but it amounts to this, that Mr. Thompson confounds himself with the Commissioner who entertained a bias against the people. Now will you pay 50*l.* or 500*l.*, or it may be 5,000*l.*? I doubt your willingness. And I also believe that it is impossible to alter former arrangements. On the river every digger was entitled to 150 feet of river frontage. At Old De Beers that was commuted for the right to sort and dig where we liked on payment of a claim licence. Why then should we give up rights which we acquired before this blessed and much respected Government came here. As regards the attack on Mr. Ling, when he fixed his residence where it is now he had to cut the bushes in the veldt. It was uninhabited, and there was only one road, which came past Finlason's office and Payne's compound, from Old De Beer's. If I go upon waste moorland, cultivate it, and erect a house, is it fair or just that I should be ejected as soon as I have made the property valuable. The resolution states that the Recorder's opinion is calculated to depreciate the value of claim property. If you are to pay anything over 10*s.*, in fact, to be subject to any demand, claims will be found to be valueless. I therefore call upon you to approve of this Resolution (cheers).

Mr. Marshall seconded the resolution.

Mr. Halkett, who was received with loud cheers, said: Mr. Chairman: I have no doubt that in coming forward to address so large a meeting with the intention of denying some of the statements I shall be met with hisses (no, no), but, had I, after hearing the resolution and the speech of the mover, continued to stand in the recess without speaking, I should have considered myself culpable. What I have to say may be unpalatable and in opposition to what has just been stated by a gentleman whom I have ever respected. I will not say that the facts as described by Mr. Aylward are untrue: but there are two sides to every question. It is true that I have held a general retainer from the proprietors from the time I joined the bar here; but to-night I address you with my gown off, and not as the advocate. I desire mainly to put matters before you from a common sense view. With this case I have had nothing to do, and if I make any mistakes in reference to it, Mr. Ling will be kind enough to correct me. Since October 1871, three interests on these fields have been pitted one against the other,—the Government, the diggers and standholders, and the proprietors. Lately I think that some of these parties have begun to see reason, although an article which appeared in a paper of the 2nd March was evidently intended to excite the diggers against the proprietors. Mr. Halkett said that the curtain could be lifted we would then know what has taken place in the last three years, and we would find that the proprietors are not so black as they are painted. Mr. Ling is a digger, and wishes to make what he can. The proprietors on their side wish to do the same, and when the Government will not render either of them assistance, they are simply in the same box. All of us are here to make honestly what we can; but Mr. Ling's proposition appears to me to be, I have a right to what I want. To that I reply that he has no right within sixty yards of a main road. Mr. Ling says he took 3,000 square yards and no more. Why? because there was no more to take. Again I would repeat that I am not now speaking for the proprietors, but only as a private individual. Well, on the other hand, Mr. Barry says that he never intended to be hard

on the diggers, but that Mr. Ling must pay for something. I think I am right. At least that is what I have understood from the evidence. I merely wish to put the question fairly. And it would seem that, if Mr. Ling's claims had not been so preposterous, this case would never have been heard of. A gentleman shakes his head—possibly, as when people shake an empty bottle to find out whether there is anything in it (laughter). I now come to put the other question of servitude. That would not have been raised but for the other question. Let Mr. Ling use the ground for a free residence, but don't let him and others pile up unsightly mounds in the middle of the town. Mr. Ling thereupon raises certain claims, and the proprietors reply that they will go to law. The judgment of the Court is against Ling, and forthwith there is a terrible hullabaloo. Had Ling won there would have been blazing bonfires, and you would have been quite right. But is it fair or manly, because the judgment is against you, to publish placards and denounce the proprietors? (A voice: The proprietors of Dutoit's Pan are opposing the people.) I have nothing to do with them. In regard to the strictures which have been passed upon the Recorder, I should not have imagined that anyone would have ever ventured to hint that a Judge on the Bench was not independent. When I heard what Mr. Aylward said I felt that I could not remain behind the scene; and I felt bound to answer and deny the aspersions on the Recorder's character and independence. The case having been adjudicated, what are you doing now? What you are doing now is contrary to all agitations I have ever known. Nothing will be done till the case is finally decided on appeal for one side or the other. I do not come here to vindicate the proprietors, and soon I shall have no more connection with them; but could you have the veil lifted so as to know all that had gone on, you would think very differently to what you do now. Macaulay has said that it is easy to point out abuses, but difficult to show remedies. You may perhaps say the same to me. But there is one remedy, and that as short as could be wished. The Government should have taken over the farm three years ago, but they could not see their own interests. As a mere matter of business, it would be the finest commercial speculation in which you could invest, and it should be entered upon without further delay. (The learned gentleman resumed his seat amidst loud and continued cheering.)

Mr. Ling had had no intention of speaking, but there were some points on which he desired to correct Mr. Halkett. It seemed to him that Mr. Halkett, however much he might have tried to do so, could not succeed in separating himself from the position of an advocate. He had spoken of his claim to 3,000 square yards as preposterous, but what, after all, did that space amount to? About half an acre. The learned gentleman, continued Mr. Ling, is no practical digger, and I am no advocate. He has no idea of the extent of ground required by a digger for depositing and sorting. It is a question with the proprietors whether the diggers shall have a free residence or not. They got their title from the Free State. Diggers had then certain rights, and, whenever anything was to be paid for that was mentioned. A residence was not, but if it had been intended to charge for it, it would have been. Mr. Halkett is desirous that we should take over the farm. When I was on the old Diggers' Committee a memorial to that effect was received from the diggers, and we petitioned Sir Henry Barkly. But, if we are to take it over, I should like to see it taken over on the basis of the Free State laws, that is to say for the sum of 7,000*l.* It is not, however, a question only as to extent of ground between myself and the proprietors that you have met to consider, but of your own rights; and therefore I hope you will pledge yourselves to stand by each other. I will not, therefore, detain you any longer.

Mr. G. R. Blanch.—It is a source of much gratification to me to see a learned gentleman, a member of the bar, come forward and fearlessly oppose the majority holding opinions adverse to his own. All honour to Mr. Advocate Halkett for appearing on this platform in defence of principles with which he conscientiously agrees. I have always considered this talented gentleman to be classed more or less amongst our political opponents (Voice, No); I say more or less. But although the promoters of this and other meeting, and the public were desirous, and have expressed the wish that the discussion should not be all on one side, but that those entertaining views at variance with ours should have every opportunity of being heard—every attention and respect should be paid to their addresses and resolutions, so that the people might be enabled to consider the matters represented from two sides, yet not one person, with the exception of Mr. Advocate Halkett, has even had the manliness and ability to come forward and meet us with fair argument on the public platform. (Cheers.) Mr. Halkett is, however, slightly in error when he states that we appear here to-night to support Mr. Ling's claim to an enormous extent of ground. The extent of ground occupied is not the subject of dispute. We do not wish to act unfairly to the proprietors, and if the Recorder had

decided against Mr. Ling because of the size of the ground he occupied, we should have submitted to his judgment, but the rights of every one of us are imperilled by his decision. According to the Proclamation of Sir Henry Barkly, No. 72 of 1871, in which it is guaranteed that all pre-existing rights shall be respected, the diggers have maintained, and are determined to maintain, those rights. There shall be no encroachment on them (cheers); our course is to support Mr. Ling in all legal and constitutional ways. By supporting Mr. Ling you support yourselves, and if any legal difficulty prevents that support being successful you must defend yourselves (cheers), and show the proprietors that the law is unjust in its principles, and consequently must not be permitted to be carried out (cheers) unless they are supported in their unjust demands by a regiment of soldiers. There is no feeling beyond a difference of opinion between the diggers and the proprietors. I believe the diggers and the proprietors together wish the present Government at the ———. (Laughing and cheers.) Why do not the proprietors come forward and offer terms to the diggers? (Hear.) On certain defined terms being agreed upon all these expensive and protracted legal expenses might be avoided. Let the diggers come forward, and the proprietors do the same. I am quite sure of this, that an amicable and conclusive arrangement made between the proprietors and the people would cause claims to rise in value nearly 50l. per cent., and the farm would also be equally advanced in value. The proprietors and diggers have no defined rights. Come to an understanding on all points, and the embers which are still smouldering will not be raised into a flame. It is about two and a-half years ago since my friend Mr. Ling, who is now made a victim, pointed out the remedy for the evil from which we now suffer. In the Diggers' Committee, of which both Mr. Ling and myself were members, exercising our endeavours by which some amelioration of our present anomalous condition could be devised, Mr. Ling proposed, and I had the honour of seconding, a resolution that the Government should take over the farm. But because this suggestion came from the diggers, and the "popular" party, and no one else, we were not listened to, and now the Government regret their obstinate stupidity. I feel quite sure that if fair terms were proposed by the proprietors every consideration would be given by the people to them (cheers), and I am certain that they would be as fairly treated by the diggers as their advocate, Mr. Halkett, has been treated to-night. (Cheers.)

Mr. Aylward.—After hearing what the other speakers have said I have not much to add. What Mr. Acting Recorder Thompson said about the 50l. per month which the proprietors could claim from the diggers for claim licenses was uttered while I was in Court reporting. The Recorder said the proprietors had a number of rights, and they could, amongst others, demand 50l. or 500l. per month from the diggers if they liked. Supposing this farm was sold by the present proprietors to a company? We will not allow the slightest infringement whatever upon our rights. The different resolutions show what it is necessary for the people to do, and the speakers will tell what their views are on this matter. If those resolutions are passed I will not have wasted my breath. For myself, I am tired of this state of things—these continual meetings; I do not want to fool round a number of men, month after month, unnecessarily. If you are men you will know what your duty is to those who represent you. You will be informed what is required of you, and you will rally round each other. I'll have no more public meetings as far as I am concerned. The thanks of the meeting are due to Mr. Halkett for his candour and consistency in coming forward to state his views. That learned and respected gentlemen tells us the proprietors are not so black as they are painted. I wish we could think so. (Cheers.) Another remark. Upon Mr. Halkett's own showing he finds fault with the Government, and why? He considers there should have been some arrangement come to before this for the taking over of the farm. He says, "I believe that it would be the finest commercial transaction in the world." That is a matter of opinion. (Cheers.)

The Chairman: The proprietors of the finest speculation in the world want to eject Mr. Ling from property for the paltry sum of 18l. 15s. I think Mr. Halkett is wrong in his opinion. If you think our rights are invaded—which we think they are—you will hold up your hands to pass this resolution. If you consider Mr. Halkett's conclusions correct, and that the position of the proprietors with regard to us is also correct, you will support the same. All those, then, in favour of the resolution will hold up their hands (unanimous). All against. (Voice: "Divil a one!")

Mr. Fred. English spoke to the second resolution, which he read, as follows:

That this meeting pledges itself to support Mr. Ling to the utmost in his contest with the Proprietors, and to protect him and other diggers against infringement of their rights to a free encampment and sorting ground on the proclaimed public Diamond Diggings of Dorstfontein, Bultfontein, Vooruitzigt and Alexander Fontein—further

pledging itself to resist any additions to the Digging license. This resolution has been placed in my hands at a late hour, and I am unprepared to speak much with regard to it. We ought to protect Mr. Ling, not for the sake of the rent, but for the sake of a great principle (cheers). If we allow the thin end of a wedge to be introduced, we shall be subject to an increase of exaction. We must put our foot down at once (cheers). We cannot permit the proprietors to charge for our encampments. We have certain rights allowed us under the Orange Free State Government, which have been guaranteed to us by the present Government under the proclamations of Sir Henry Barkly. These rights are ours, and we will maintain them (cheers). Mr. Advocate Halkett has said that the proprietors are not so black as they are painted. We must judge the unknown by the known—the future by the past. During the debate on Emphyteusis Mr. Southey said in the Council that the proprietors had given the Government notice that they intended increasing the claim license from 10s. per month to 10l. per month.

This was never denied by the proprietors, their advocate (Mr. Halkett), or their agents. This is what we know. If we judge the unknown by it, it must be very ugly, depend upon it. Once the proprietors have the power to enforce it, they will charge not 10l., but 100l. per month, so making our properties worthless. If their property has its rights, so have our labour, enterprise, and patience. This decision in Mr. Ling's case is a very serious matter. It sets aside Ordinance No. 3 of the Free State, which gives us the right to be here. Let Ordinance No. 3 be set aside, and the proprietors have the legal right to drive us off. If the Government have made a mistake in not securing to us these rights, why should we suffer for their mistakes? We are strong, and, I think, willing enough to protect ourselves against encroachments or mistakes. It will be a great mistake if any digger pays camp license. To do that is but strengthening the hands of the proprietors. They may say by not paying we render ourselves liable to proceedings. If we unite we shall be well able to resist any encroachments upon our privileges (cheers). In every instance on the Fields, whenever the diggers united they carried their point (cheers). I have been at Pniel, Cawood's Hope, and all the other diggings. I know of no case where the diggers have not carried their point (cheers), and it will be so again. If the proprietors have rights we have some also. Although the law may be against us as expounded here, equity is not (cheers). I speak from experience and observation when I say that no track or spoor was in the vicinity of Mr. Ling's residence when he first settled down there (A voice: Quite right). I resided within a hundred yards of Mr. Ling's residence. There was no defined or main road near it. It has been argued that Mr. Ling occupies too much ground near his residence. It is forgotten that Mr. Ling holds and works nine portions of claims in Kimberley mine, for each of which he is entitled to a certain space (cheers). Every digger is entitled to sorting and working space in proportion to the number of his claims (cheers). This is but reasonable. Mr. Advocate Halkett says it is preposterous. But it is no exorbitant demand. If we allow our rights acquired under the Free State to be invaded our property will be worthless, and our position become imperilled (cheers). It behoves us then to come forward to resist any aggression on the part of the Government or the proprietors, and to protect ourselves (cheers). In doing so we may have to resist the law as laid down here. In doing so we may have to rectify a mistake (cheers). If the Government have not protected us we are strong enough to protect ourselves (cheers). The same Ordinance which allows the proprietors to charge 10s. per month per claim protects our position.

Mr. H. Chapman had much pleasure in seconding the resolution.

The Chairman: It would be selfish for any association in Kimberley to leave to their fate the smaller communities of Dutoitspan, De Beer's, and others. A combined movement, in which all the camps should take part, is desirable. At any time in any danger the whole organisation would move to any spot, no matter where invaded. Then and there we will assemble and protect that man who may require it (cheers). There is nothing against the law in this. It has been said that we should rather go to the Government or the Legislative Council to have all these invasions rectified. What is the good in going there? (Cries, None.) Have we not tried every means? (Cries, We have.) Petitions, addresses, deputations to the Government, have done nothing for us. (Cries, Nothing.) The Mining Ordinance—that wretched piece of legislation, is a disgrace to any legislative body. It has been the ruin of many a man on these Fields. (Loud cries, it has.) This has been verified by experience. I say meetings, petitions, and addresses have been treated with contempt, and have utterly failed. The Government has fancied itself in the 77th heaven and will have nothing to do with the toilers using dirty pick and shovel (laughter). They are not to be bothering them. They are to obey. They must not criticise or review anything that is done. In this state of

things it is a first and imperative necessity to support each other (cheers), no matter from what quarter, and to stand by and protect their rights (cheers). I now put the resolution. All those for (great show of hands and hurrahs). All those against (cries, Iona). Carried unanimously.

Mr. Albany Paddon spoke to the third resolution, proposed by him, which read as follows :—

That this meeting looks upon the prosecution of the publisher of the "Field" by the Government as an unworthy attempt to interfere with the freedom of the Press.

This is a different matter to that contained in the former resolutions. There may, perhaps, have been too much stress made upon Mr. Ling's case. If the Government can force Mr. Ling to pay they can come upon us too. There is one gentleman who has come here this evening and acted in an Englishman-like manner. (The speaker here recapitulated the arguments of Mr. Halkett.) But we know law is common sense. All law is founded upon it. In Australia and New Zealand there is but one charge for diggers wherever they go, on whatever property they are. That is a license tax of 11. sterling per annum. (Cheers.) There has been no succession of laws to change that rate every week. These diggers in Australia can go all over the country, and wherever they work they only have to pay a pound a year. That is a little difference from 10s. a month. The learned speaker, or the proprietor, does not like the look of the unsightly mounds about the farm. If we are to work and pay, we must make these mounds. If we take 40 feet by 60 feet space for each claim we work we only have our rights, and we have no more space than we want. The proprietors have made, and are making, heaps— heaps of money out of the place, and we only want to be left to ourselves with what rights are ours. (Cheers.) If we don't protect those rights we shall be in the same position as Mr. Ling, and in no long time be driven off the farm and mines, so that the monopolists may have the whole of the kopjes to themselves. (Cheers.) This is a most autocratic government, but the people cannot submit to its exortions any longer. *Vox populi vox Dei*. If that is true that the voice of the people is the voice of Heaven, and that must be the voice of right (cheers), let us combine and defend ourselves (cheers) and protect our Free State right guaranteed by Sir Henry Barkly (cheers.) Regarding the liberty of the press in England, we see the acts of the Government deprecated in strong language enough. But here this obnoxious Government thinks to curb the spirit of right and justice by the strong hand of law. Look at the absurdity of having the High Court at Klipdrift (Barkly), and the intention to attempt to try Mr. Taylor of the "Diamond Field" there. The Acting Attorney-General has been heard to say that he could obtain a conviction easier at Barkly than at Kimberley. Why? The place is almost deserted, and the inhabitants mostly consist of those connected in some way with the Government. The "Diamond Field" case should be tried at Kimberley (cheers) where the mass of people resides (cheers). For my own part I consider this attempt to suppress the cause of the truth as an insult to the people (cheers). This style of Government is held up to derision by our Colonial papers. This state of Government is a mere sham (cheers). I am glad the Government has taken up paltry matters in this way with Mr. Taylor—with us—with the whole community.

Mr. Longlands.—Mr. Chairman and gentlemen: I can assure you that it was with considerable reluctance that I consented to address you this evening. It is the first occasion on which I have appeared as a speaker at a public meeting on these Fields. When it was pressed upon me that I ought to take some part in the proceedings to-night, it occurred to me that it might be said that the subject of this resolution was of a somewhat personal nature. As the Editor of one of the papers, and one which, because it favours the popular side, has been recently stigmatised as a rowdy journal, I could not but doubt whether the vindication of the press would not be more properly left in other hands. But it was argued in reply that, if one editor could lend such influence as his paper possessed to the Government on all and every occasion, surely another editor need not feel himself debarred from supporting the other side. I could not but recollect also that amongst many great statesmen and orators who have defended the liberty of the press are such names as those of Erskine and Macintosh, and I could not but fear the consequences of attempting to follow at however humble a distance in their wake. I shall not therefore attempt any brilliancy of oratory, but confine myself to the conduct of the Government in its treatment of the press of Griqualand. You will however, allow me for one moment to refer to the paper with which I am connected. The "Mining Gazette" has on several occasions, whilst it has been under my management, ventured to differ from the majority of the people and from those who are considered the leaders of public opinion. But I have always held the man in contempt who has not the moral courage to speak out and oppose the popular

will when he believes conscientiously that it is wrong (cheers.) I am aware that some of those with whom I am most intimate doubted whether the "Mining Gazette" had any wish to promote the popular cause. I am happy, however, to know that, whatever difference of opinion existed between the "Mining Gazette" and yourselves—notably in reference to the Committee of Public Safety—they are now quite forgotten and forgiven, and that no doubt exists in the minds of any of you that no journal is more devoted to the popular cause (cheers.) Following, but at the most respectful distance, in the steps of that great statesman and leader of the Liberal party, whose retirement from public life all England is regretting, I began life with the firm conviction that Toryism was the only healthy political creed. I have lived to change that opinion long since and to become the strongest of Radicals, for the simple reason that I believe Radicalism to be the truest Conservatism (loud cheers.) I believe, gentlemen, that the present is only the second occasion on which the press of South Africa has been subjected to a prosecution. The other instance was the prosecution of the old "Mail" in Capetown when Fairbairn was its editor and ablest contributor. The stand then made has had a salutary effect ever since. There have been numerous private actions against newspapers, and there may be occasions when the Press, without intending any unfairness, may yet be held to have outstepped the limits of fair criticism. Even so astute a lawyer as Sir Christoffel Brand was on one occasion, when the editor of a Capetown paper, brought into Court for libel and mulcted in damages. We had an action in our own Courts very recently of a similar nature, the result of which, though not exactly profitable to a certain individual, has been much boasted of. There has also been an action for libel in the Supreme Court during the present term; and I have here the last issue of the "Eastern Province Herald," in which the particulars of that action are given. In the comments on the conduct of the plaintiff I find some remarks which I think you will agree with me are singularly appropriate to the conduct of this Government in the prosecution of Mr. Taylor. This is what the "Herald" says:—"Give blow for blow in manly fashion, and we can respect an opponent, be he ever so severe. We know we have a man to deal with. But, when the blows come heavy and the pain smarts, to run off like a whipped hound to a Court of law for protection seems to us craven conduct." (Loud cheers.) And I think you will agree with me that this also is appropriate to our Government: "The greatest bully is the greatest coward, and, when it comes to a question of blows, he is the first to call in the aid of his big brothers, or to run blubbing to the Supreme Court." Here too in Mr. Taylor's case you have the whipped hounds running for protection to the High Court. (Cheers.) What the "Field" said about swindling transactions touched them on the raw. Do not think for a moment that I am about to repeat an alleged libel (laughter); but I refer to it because in the minds of some ignorant or prejudiced persons the liberty of the Press simply means licentiousness. I should be one of the last to wish to see such a result of liberty. Very great liberty is, however, permitted to public writers, and in publishing information which they have reason to believe is founded on *bond fide* statements the law will naturally hold them excused if they have been deceived. Such, gentlemen, we believe to be Mr. Taylor's position. The statements furnished to the "Field" may have been true; they may be found to have been false. That we can only know when the trial comes on; out of this I feel certain that no nine men will be found in Griqualand to return a verdict against the publisher of the "Field." (Cheers.) I shall possibly be charged with a wish to intimidate. I hold out no threats. I only express an opinion in which, to judge by your cheers, you concur. There are reasons in Griqualand for our being more tenacious of the liberty of the Press than we might need to be elsewhere. Here the liberty of the subject is identical with the liberty of the Press, for there is no one else to protect your liberties. (Cheers.) As for the Government protecting them you know well enough by this time what its protection is worth; and you will not certainly place more confidence in that thing called a Legislative Council. (Derisive cheers.) Your Council is the grossest of mock Parliaments. You are not represented there, and therefore it is necessary that the Press should speak out. (Cheers.) You have, it is true, the right of petition, but the right is only another mockery, and but for the Press nothing would ever have been heard of your complaints or your grievances. It is important, too, that the shortcomings of the Government and their treatment of you should be known outside Griqualand, and that they are is due to the Press alone. (Cheers.) Upon so great a subject I could speak at much greater length, but at this late hour I am unwilling to detain you. I will not say that your patience has been tried, for you have had a pleasure which you did not anticipate in listening to the most eloquent advocate in South Africa. (Cheers.) But, before I cease, I cannot refrain from reading a short extract from Mr. Bright's speech to his constituents at Birmingham.

I only received a copy of the speech to-day. To adapt it to our Government you have only to alter twelve Cabinet Ministers into four. This is what Mr. Bright says of the present Conservative Ministry: "We have placed upon our Treasury Bench twelve (to be correct we will say four) men whose special recommendation is that they never did anything, and that, if they attempted to do anything, it was merely to prevent their opponents from doing something. (Loud laughter.) When this new Government was formed I was asked, being somewhat of an old stager in Parliamentary matters, how I thought they were likely to get on. I answered, with a simplicity which is commendable, that they would get on for a while pretty well if they would keep off politics." (Laughter and cheers.) There, gentlemen, you have a graphic description of our Government in Griqualand. And I will say of it that I believe it might get on very well indeed if it would keep off politics, and keep its hands off the Press. (Cheers.)

Mr. G. R. Blanch.—Allow me to draw your attention to the fact that it is not a fair fight between the Government and Mr. Taylor. He may win his case and yet be a ruined man, while Messrs. Southey and Currey, although they ignominiously lose the case, will not be one penny out of pocket. I regret to have to say that justice is not obtainable for a poor man under this Government. I will give you an instance to prove my assertion. Some gentlemen, whom we all know and respect, Messrs. Francis and Vernon, and Mr. W. M. Frames, had a dispute some time since. It was simply a diggers question, and under the Free State Government would have been settled for a few pounds, but under this it cost 700*l.* to 800*l.* What poor man can stand such costs as that? The Government here should be the last to attack the Press, for they are supported by the "Diamond News," which is their acknowledged organ, and which I do not hesitate to call the most slanderous and lying print in South Africa. (Cheers.) I do not utter this strong language without being fully prepared to justify it. I will quote one instance only now. I had the honour to belong to and be the Secretary of the Vigilance Committee, a body formed for the purpose of putting down the shameful crime of stolen diamond buying. The "News" misrepresented the intention and characters, and utterly maligned and misstated the action and objects of those gentlemen. I replied and contradicted those statements, offering to support my own assertions with the sworn affidavits of the members, and reference to the books of the society. When such overwhelming testimony was offered to prove his incorrectness, the editor of the "News," if he had the slightest spark of honourable feeling or any of the principles of a gentleman, would have retracted and apologised for his misstatements, instead of which he reiterated them and took every opportunity of insulting and maligning the members of that body; and therefore I am justified in branding him as a liar and a slanderer. (Loud cheers.) Gentlemen, when we speak of an editor generally, we speak of an impersonable personage who sits in the editorial chair, and is privately unknown; but here, when we see a man without one social qualification for it except the power of writing false and libellous articles in support of the Government—admitted into the highest sphere of society here, we are justified in making the induction that that social recognition is the price paid for his hireling pen. (Loud cheers.) With regard to Mr. Taylor, however, we must pledge ourselves to support him in his struggle, and we cannot do so only by our resolution and cheers; but we must remember that lawyers must be paid, and witnesses procured, to give him a fair trial, and therefore we must put our hands into our pockets and help him with subscriptions for the sake of fair play, and to support the liberty of the press. (Cheers.)

The Chairman, before putting the resolution, said: If you have not freedom of the press, you will be oppressed indeed. You must have free sorting grounds. Take good care to secure the liberty of that press.

The resolution was put and carried unanimously, amid cheers.

The Chairman: Mr. Aylward will make known to you the further objects of this meeting.

Mr. Alfred Aylward: The resolution is drawn out and ready for signature. I am reading it on the authority of those who feel sufficiently interested in the two cases—Ling's and the "Field." Be prepared to sign this mutual agreement of the combined camps, and prepared to carry out fully what you promise. Mr. Aylward read the resolution, as follows:—

"Whereas the right to free encampment and sorting ground is imperilled by the acts of the proprietors, supported by judgment of the High Court; and whereas there is reason to believe further encroachments will be attempted to increase the rate of claim, licence, and in other ways, we, the undersigned, agree to resist any attempt to eject any one from his residence, and all interference with the rights enjoyed on these public diamond diggings under the Free State Government, and secured by Order No. 3 of 1871 of that

State, which rights the British Government promised to respect ; and we hereby pledge ourselves to act at either of the camps when called upon to protect members of this association."

As our respected chairman has informed you, I speak for others and for you. There is no man in this camp who would more hate to see rupture and disorder than myself, but I would, in the interest of the diggers' delegates, take my place, if ordered, in the organization at the front. In the event of disturbance or of any attack on you by any party whomsoever, the English ensign (reversed) will be hoisted on the Kopje, with a black flag under it, not as a signal of attack, but as a signal of mourning, desolation, and unity. If I erect the English ensign, I expect to see you with your rifles and your revolvers, and other necessary articles under the English flag, as I am ordered to direct you to assemble with your weapons, in the name of Heaven and your country, to protect yourselves from injustice. The agreement is now ready for signature. If you choose to sign, pay your subscriptions. It won't be used wastefully. Put down your names. Act as honourable men. By holding back you will be hindering the association and yourselves. Come forward and sign—you know the remainder. (Cheers).

The Chairman : I will not put this as a resolution. Those who are prepared to sign, come and do so now.

A hearty vote of thanks to the chairman, and three cheers for the Queen, closed the meeting.

There were about 800 persons present, and not at any time was there any attempt at rowdiness. Never was there a more orderly meeting held in any part of Her Majesty's dominions.

Inclosure 3 in No. 10.

Manifesto.

WHEREAS, there is a large number of natives collected on these diamond fields not gaining their living by honest labour, and who are not under proper police surveillance ; and—

Whereas thefts of diamondiferous soil and other property are continually taking place unchecked ; and—

Whereas, the Government has informed the Mining Board they are unable to furnish night constables for the mine, and—

Whereas, disturbances continually occur in the main thoroughfares of this camp and its vicinity, occasioned by the quarrelling and fighting of drunken Kafirs and others, who publicly use beastly and indecent language and molest passers by, especially on Sundays, to the disgust and annoyance of the inhabitants, and—

Whereas, from these and other causes the rights, property, and liberty of the diggers have been threatened and are in danger ; "The Diggers' Protective Association" of the combined camps has been formed with the view solely of mutual protection.

To this end the Council of the Association will direct necessary patrols to be made and other measures to be carried out.

The public are warned against those who have been employed, and who have endeavoured to raise false alarm in the minds of storekeepers and others by stating that the aim and objects of this Association are subversion of order and security.

Claimholders, standholders, and diggers, and all well disposed men are invited to join the Association, and assist, either personally or in other ways, to carry out its objects as now stated.

Kimberley, March 19, 1875.

(Signed)

HENRY TUCKER, *Chairman.*
WILLIAM LING, *Treasurer.*

Inclosure 4 in No. 10.

Proclamation.

By his Excellency Richard Southey, Companion of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the Province of Griqualand West.

WHEREAS it has been brought to my notice that certain evil-disposed persons are endeavouring to excite disaffection against Her Majesty's Government in this Province,

and are already illegally enrolling and drilling certain persons who have allowed themselves to be misled by false and malicious statements as to the objects and intentions of Her Majesty's Government, to the great vexation of all peaceable, industrious, and loyal inhabitants, whose property and lives are thereby rendered insecure; and against the peace of our Sovereign Lady the Queen, her Crown, and dignity:

Now, therefore, in the name of Her Most Gracious Majesty the Queen, and by virtue of the authority vested in me, I do hereby solemnly warn all inhabitants of this Province against the treasonable designs of the evil-minded persons aforesaid; and I further warn all inhabitants of this Province against taking any illegal oaths, or assembling together in arms, or drilling without lawful authority, or committing other seditious or treasonable acts of whatever nature, as they shall answer the same at their peril:

And I do further assure all peaceable, well-disposed, and loyal persons, that Her Majesty's Government will adopt whatever measures may be necessary to protect life and property, and to preserve peace in this Province.

God save the Queen!

Given under my hand and the public seal of the Province, at Kimberley, this 19th day of March, 1875.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

By command of his Excellency the Lieutenant-Governor,
(Signed) JOHN B. CURREY, *Secretary to Government.*

Inclosure 5 in No. 10.

Proclamation.

WHEREAS in the "Griqualand West Government Gazette" of this date, a certain Proclamation appears, signed by Richard Southey, Lieutenant-Governor of this Province, wherein it is asserted that certain evil-disposed persons are endeavouring to excite disaffection against Her Majesty's Government, and against the peace of our Sovereign Lady the Queen, her Crown, and dignity—

And whereas Her Majesty's subjects are warned against the treasonable designs of the evil-minded persons aforesaid, and against taking any illegal oaths, or assembling together in arms, or drilling, without lawful authority:

And whereas the said Proclamation refers to the Diggers' Protection Association of the Combined Camps:

Be it hereby made known that the said statement made by the said R. Southey, Esq., in his capacity as Lieutenant-Governor aforesaid, is a false and scandalous charge against the loyalty and affection of Her Majesty's subjects,—whose rights and liberties have been disregarded by the Representatives of Her Majesty's Government in this Province, and by whose acts the flag of our country has been brought into contempt, both in this Province, in the adjacent Republics, and among the adjoining native tribes, and the Crown and dignity of our Sovereign Lady the Queen has been dishonoured, and the rights and freedom of the loyal subjects of Her Majesty the Queen been trampled upon:

And whereas the said Richard Southey, in his capacity of Lieutenant-Governor, has refused us access to him by deputation, and has disregarded our wishes expressed by petitions and resolutions, and has caused attacks to be made upon us and our servants by armed men when pursuing our lawful occupations:

Now, therefore, by virtue of our loyalty and affection to Her Most Gracious Majesty the Queen—whom God preserve—and to preserve inviolable the affection of her people, and the security of their rights and liberties, we hereby notify our intention to induce all Her Majesty's subjects to meet together for mutual assistance and support for the before-mentioned purposes; ignoring and disavowing as we hereby do all treasonable intent to Her Majesty.

Further, we pledge ourselves to adopt all measures for the security of life and property (such through the feebleness and incapacity of the local Government have been jeopardized), of all Her Majesty's subjects in this Province.

And we further assure all peaceable, well-disposed, and loyal persons, of our inten-

tion to maintain order, and the dignity and prestige of the rule of Her Most Gracious Majesty the Queen in this Province.

God save the Queen !

(Signed) HENRY TUCKER, *Chairman of the Diggers' Association of the Combined Camps.*
WILLIAM LING, *Treasurer.*

Kimberley, March 20, 1875.

Inclosure 6 in No. 10.

Sir,

Kimberley, March 20, 1875.

I HAVE the honour to report, for the information of his Excellency the Lieutenant-Governor, that some 150 diggers, incited by Messrs. Tucker, Ling, Aylward, Schlichmann, and other agitators whose names I have submitted in my former reports, have commenced the practice of meeting at various parts of Kimberley and openly drilling at night under arms, after which they parade the streets in military order.

I have also to report that I was present at a meeting held in a store a few nights ago, where, after drill, ammunition was openly served out by Aylward and another, and all present were exhorted to attend the trial of a digger named South, who had been summoned in the Resident Magistrate's Court for a contravention of the mining regulations. These men call themselves the Diggers Protection Association, and state that they are banded together to conserve the peace and the rights, property, and liberty of diggers.

I have, however, to inform his Excellency that this is not the case, as all their leaders are well known, not only to be antagonistic to the present form of Government in this Province, but also to anything like British rule in this or any other part of South Africa, and, as Chief of the Constabulary, I am aware that the movement now going on is one of a political character. I may here state that in no other Colony where I have had the honour of serving Her Majesty as a police officer, have I observed such an absence of what may be termed serious crime as I have in Griqualand West, or less occasion for the people to enrol themselves into bodies under what I cannot term anything else than a false pretext of assisting the police.

I am further of opinion that these men propose obstructing the course of justice by resisting the writs of the Magistrate's and Recorder's Courts; indeed, I have myself heard one of their leaders call upon them to assemble in the Magistrate's Court, Kimberley, for the purpose of intimidating the Magistrate in the case of *Regina v. South* now pending. They have also announced their intention of patrolling the streets and arbitrarily arresting persons obnoxious to them; and I apprehend that, in case of any judgments of the Court against diggers being enforced, or of any attempt to check their illegal proceedings being made, a serious collision will be the result, and that the force under my command is too small for such an emergency.

Under these circumstances I would suggest respectfully that his Excellency the Lieutenant-Governor may take measures for an adequate military force being stationed here until order is restored, and, in the meantime, and pending the arrival of troops, that his Excellency call upon the loyal portion of the population, whom I know to be very numerous, to enrol themselves into volunteer corps for the preservation of the peace.

This course, I believe, would have the effect of establishing confidence and restoring order when the ringleaders could be arrested and dealt with accordingly.

I have, &c.

(Signed) GILBERT PERCY,
Inspector Commanding Griqualand Constabulary.

The Secretary to Government.

Inclosure 7 in No. 10.

Sir,

Government House, Cape Town, March 30, 1875.

YOUR despatch of the 20th instant, reporting the preparations made by the malcontents at Kimberley, for resisting the execution of the laws, and expressing a hope that arrangements might be made for sending thither, as quickly as possible, a force

sufficient to show the hopelessness of such resistance, reached me on Saturday the 27th, causing, I need hardly say, great anxiety, which would, however, have been far greater but for the arrival shortly afterwards of your telegram, via Colesberg, of a day's later date, begging me to take no action until I heard from you again.

2. Your Excellency had no doubt forewarned me that, under certain contingencies an attempt of this kind might be anticipated, but it had become so self-evident that the Government, in spite of its desire to protect the diggers, would have no alternative but to aid in enforcing the judgment obtained by the proprietors against Ling, that I felt justified in supposing that this spirit of lawlessness would be confined to the few reckless political agitators, whose oft-repeated threat of recourse to arms I concurred in regarding as of little importance. I remembered, indeed, that in the very case to which you have alluded, where certain concessions had before your appointment been extorted by a display of violence, no difficulty had been experienced afterwards in revoking them without military aid, thus proving the law-abiding disposition of the great bulk of the white population, then five or six-fold more numerous than at present.

3. Owing to considerations like these I went no further, when transmitting your despatch of the 4th ultimo to the Secretary of State, than to call his Lordship's attention to your remarks, without adding to them any recommendation as to stationing soldiers in the Province, which, apart from other objections, would have involved a heavy outlay, reclaimable probably by the home authorities from its exhausted Treasury.

4. Should the events that have since occurred lead your Excellency to the deliberate conviction that the presence of a military force will for some time to come be essential for the preservation of order, I shall, however, be prepared to lay a specific proposition to this effect before the Earl of Carnarvon, while, if absolutely requisite for the safety of the community, I must, of course, take on myself the responsibility of acting without awaiting his Lordship's orders.

5. I trust, from the tenor of your telegram, that no necessity for adopting either course is now likely to arise, but that the next post will bring intelligence that all danger is past, and that your Excellency can safely rely on moral influence only in carrying out the firm yet conciliatory policy which the situation demands.

I have, &c.

(Signed) HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

No. 11.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 4.)

My Lord,

Government House, Cape Town, April 5, 1875.

IN connection with my previous despatch of this date,* I have the honour to transmit a letter addressed to your Lordship by Mr. Henry Tucker, of Kimberley, styling himself "Chairman of the Diggers' Protection Association of the United Camps," in which he forwards, for the information of Her Majesty's Government, copy of a (so-called) Proclamation issued by that Association, in answer to the Proclamation issued by the Lieutenant-Governor of Griqualand West.

2. I have likewise to submit copy of my correspondence with Lieutenant-Governor Southey in reference to the above letter, as well as to a similar one addressed to myself by Mr. Tucker, and trust your Lordship will approve of the reply I directed to be given to the latter.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 11.

My Lord,

Kimberley, Griqualand West, March 20, 1875.

ON behalf of the Diggers' Protection Association, I have the honour to forward, for the information of Her Majesty's Government, copy of a Proclamation issued by the Association this day, in answer to a Proclamation issued by the Lieutenant-Governor of this Province.

I have much pleasure in expressing the continued loyalty and affection of the people of this Province to Her Most Gracious Majesty, even under the grievous exactions and oppressive Ordinances lately forced upon them by their Local Rulers.

I have, &c.

(Signed) HENRY TUCKER, *Chairman of the Diggers' Protection Association of the Combined Camps.*

This communication has been addressed to you in duplicate through the Local Government, but as it may be delayed, I have the honour to inclose direct to you.

H. T.

To the Right Hon. the Earl of Carnarvon,
&c. &c. &c.

Inclosure 2 in No. 11.

Proclamation.

[This Proclamation, dated 20th March, 1875, is printed as Inclosure 5 in No. 10.]

Inclosure 3 in No. 11.

Sir,

Lieutenant-Governor's Office, Kimberley, March 24, 1875.

I HAVE the honour to transmit herewith a letter in duplicate, with inclosure, addressed by Mr. Henry Tucker to the Right Honourable the Secretary of State for the Colonies.

2. The Inclosure is copy of a so-called Proclamation signed by the said Tucker and by William Ling, one of which I forwarded to your Excellency in my despatch of the 20th instant, and as I then reported fully upon the acts and proceedings of Messrs. Tucker, Ling, Aylward, and others, which appeared to me to be intended to oppose and set at defiance the laws of the country, I do not consider it necessary to add to what I then said, in now forwarding the accompanying documents.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 4 in No. 11.

Sir,

Government House, Cape Town, April 1, 1875.

I HAVE to acknowledge your despatch of the 24th ultimo, transmitting a letter in duplicate, with inclosures, addressed by Mr. Henry Tucker to the Right Honourable the Secretary of State for the Colonies.

2. Your Excellency will be pleased to inform Mr. Tucker that this letter will be forwarded to the Earl of Carnarvon by the earliest opportunity.

3. I have also to request your Excellency to notify to Mr. Tucker that I have duly received his letter to myself, forwarding similar inclosures for my information, and to add that, however ready I might be to entertain any complaints which the Diggers' Association desired to lay before me, it would be inconsistent with my duty, as Her Majesty's Representative, to take notice of documents counterfeiting the form of Proclamations such as can only be lawfully issued in virtue of the Royal Prerogative.

I have, &c.

(Signed) HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 5.)

(Confidential.)

(Extract.)

Cape Town, April 6, 1875.

UNDER cover of a public despatch, by this opportunity I have transmitted for your Lordship's information copies of my correspondence with the Lieutenant-Governor of Griqualand West, relative to the present unhappy position of affairs at the principal site of mining industry in that province; but as Mr. Southey has, for the reasons he assigns, marked his last communication to me as "Confidential," I thought it better to follow his example, and to reserve my observations on its contents for a confidential despatch.

On assembling his Executive Council, after the failure of his first Proclamation to put an end to the arming of the Diggers' Protection Association, in order to concert further measures for the preservation of order, a difference of opinion manifested itself, as will be perceived, respecting the propriety of publishing a Notice, as proposed by the Lieutenant-Governor, calling on all well-disposed persons willing to support the Government to come forward and enrol themselves as volunteers, the Government Secretary alone supporting this proposition, whilst the Attorney-General and the Treasurer objected on grounds which they afterwards recorded on the Minutes. Whilst admitting the force of some of Mr. Shippard's objections, Mr. Southey was on the whole so little convinced by the reasoning adopted, that it was his intention to have issued the Notice, but for the attempt at mediation to which I have elsewhere alluded, which led to an interchange of letters between Mr. Tucker, on behalf of the malcontents, and the Secretary to Government.

This correspondence was still incomplete when Mr. Southey closed the despatch under reference; but I learn from a Supplement to the "Diamond Field" newspaper of the 27th ultimo, that a rejoinder had been forwarded by Mr. Tucker to Mr. Currey, waiving the point of form, and repeating the application for an interview with Mr. Southey, as "private individuals," in a tone of greater moderation than has heretofore been adopted by the party he represents.

I have some confidence, therefore, that a better understanding will be arrived at in regard to several of the minor points in dispute.

* * * * *

At the same time, although I indulge the hope that the present crisis may be tidied over by mingled firmness and conciliation, without any actual outbreak or unworthy concession, and even that the amount of the judgment against Ling (about 500*l.*) may be paid under protest pending appeal, I must not conceal from your Lordship, that if the registered owners of the Farm Vooruitzicht are to be upheld in the exercise of the extreme rights of proprietorship which they claim, I altogether despair of the possibility of the continued enforcement of the law and maintenance of order without the presence of a larger military force.

This is no new opinion on my part. Immediately after the annexation of Griqualand West, I strongly urged those who had purchased diamondiferous farms in anticipation of that event not to attempt to push their supposed rights beyond what they had enjoyed under the Free State régime, adding, that though I would always do my best to carry out any decisions of the Law Courts in their favour, I must distinctly warn them that I was not going to use British bayonets for the purpose of rendering their speculations more profitable.

It was with a similar view, also, that I gave my assent to the legislation which Lieutenant-Governor Southey found it necessary to introduce for placing his Government in the same position with regard to the rates chargeable for stand licenses and other matters, as that of the Free State had been under Ordinance No. 3 of 1871, which the diggers considered to be still in force, in virtue of my Proclamation, on which the existing rights of all persons are guaranteed.

Upon the disallowance of that legislation, it appeared to me clear that the alternative for the Government of Griqualand West would sooner or later lie between maintaining the proprietors' rights by force or buying them out on the best terms practicable.

Under this impression, I have for some time past been privately in treaty, as your Lordship is aware, for the purchase of the Farm, and the only cause of delay has been the wide difference between my ideas and those of the proprietors as to its value. There is still some prospect that we may come to terms, though it would appear that lately they have been influenced in fixing their minimum price so high as 100,000*l.* by

overtures which have been made to them, on behalf of the claim-holders in the mine, by the very individual whose name is mentioned by Mr. Southey as aiming at forming a company for the purchase.

Though such a scheme would leave many difficulties unsolved, I shall not interfere to prevent its accomplishment, as it might be, nevertheless, a considerable improvement on the existing state of things; but in case it should come to nothing, I trust I may receive your Lordship's sanction to acquire the property for the lowest sum I can, payable in 6 per cent. debentures, to be redeemed in ten years; for the difference even of 20,000*l.* would be of little consequence in comparison with the expense of military intervention, setting aside the still more serious objections to which that would be open.

Inclosure 1 in No. 12.

Lieutenant-Governor's Office, Kimberley,

March 27, 1875.

(Extract.)

ADVERTING to my despatch of the 20th instant, in which I represented to your Excellency the unsettled state of affairs here, and the violent conduct and unlawful proceedings of certain persons who appeared to be determined to induce a number of others to co-operate with them in creating disturbances and causing alarm to the well-disposed inhabitants, and also in endeavouring to deter the Government from prosecuting persons who set law at defiance; referring, likewise, to the telegraphic message which I forwarded by Cobb and Co.'s coach to Colesberg, on the 23rd, to be thence transmitted to your Excellency, in which I informed you that there appeared to be some symptoms of improvement caused by pressure being brought to bear on the turbulent, by persons of property and respectability, I have now the honour to address you upon the same subject, and I do so confidentially, in order that I may afford fuller information, and allude to persons and objects which I should hardly feel at liberty to do otherwise, as in such a place as this it is not possible at all times to substantiate by actual proof allegations which are believed to be true and undoubted facts.

Notwithstanding the warning and cautions contained in my Proclamation, which appeared in the "Gazette" of the 20th instant, a copy of which I sent to your Excellency in my despatch before mentioned, a number of armed men assembled the same evening for drill, under command of Aylward and Ling, and on the day following (Sunday) a portion of them paraded the streets, but I have not heard that they committed any outrages on the coloured population, as by their previous threats they were expected to do.

Their conduct, however, has created alarm in the minds of coloured people, some of whom have left the Fields in consequence, and others are likely to follow. Even Malay and other coloured cab-owners and cab-drivers have left with their vehicles to return to the neighbourhood of Cape Town, fearing that if a disturbance takes place here, their colour would be the cause of danger to their property, if not to their lives.

This state of things is calculated to deter natives of the interior from coming hither to work in the mines, and in other ways to affect injuriously the interests of the peaceable and loyal inhabitants of the Province, several of whom have waited upon me on different occasions, and suggested that I should invite them and the well-disposed generally, to enrol themselves as volunteers or special constables, with a view to their aiding the Government in maintaining law and order, and in putting down those who disturb the peace. Some urged this as what they conceived to be an ordinary and proper movement under the circumstances; others as a means by which to prevent the expense that must be incurred if troops were sent, which expense they conceived must be borne by the Province.

This being the state of the case, I convened a meeting of the Executive Council on Monday, the 22nd instant, in order to consult with its members as to the measures I ought to adopt, my own opinion being that I should publish a Government Notice, inviting the well-disposed inhabitants who were willing to come forward in support of the Government, to enrol their names with one or other of the Justices of the Peace, in order that by such means I might ascertain what number of men I could calculate upon, if their services were required on an emergency. I believed that such action would strengthen the hands of the Government, and operate as a deterrent on the evil minded, without having any injurious tendencies.

When the Council met I mentioned the case very much as I have here stated it, and submitted a draft notice which I proposed to issue. The Secretary to Government

was of the same opinion as myself, but the Acting Attorney-General and the Provincial Treasurer were opposed to any immediate action being taken by the Government, and in deference to their views I abstained from publishing the Notice, which it had been my intention to do in the next day's "Gazette." I, however, requested them to favour me with their reasons for giving such advice, in writing, for record on the Executive Council Minutes; this they did on the following day, and I annex copies thereof.

It appeared to me, on reading these documents, that Mr. Shippard had misapprehended what it was that I proposed to do, and that he laboured under the impression that I intended to enrol and arm men, instead of seeking merely to ascertain how many I could rely upon, if unfortunately I should require to call them out for the repression of crime. I appreciated and sympathized with much that he said, but felt that his reasoning did not apply to the question then at issue, but to other matters which might arise subsequently. I could not go with him in his view that because the movement was intended to be more against the "proprietors" than against the Government, no action should be taken by the Government to defend the rights of the proprietors against unlawful interference with them. I could not lose sight of the fact that our Ordinance to authorize the Government to regulate the charge for stand licences, had been disallowed by Her Majesty, and that the Right Honourable the Secretary of State, in notifying the disallowance, had intimated that property rights should be most carefully respected.

Mr. Shippard was also in error, in my judgment, in supposing that no breaches of the law had been committed beyond that of merely assembling in arms.

The reasons assigned by the Treasurer appeared to me to have less weight. I dissent entirely from the views contained in the two first reasons, and believe that the action I proposed to take would have had the opposite effect, and it would have shown that while neither the Government nor the well-disposed inhabitants desired to interfere with any lawful actions, they were prepared and determined to maintain order and uphold law.

The third reason is, in my opinion, fallacious in the extreme. To call men perfectly loyal, who seek a reform of Government by assembling in arms and openly defying law without having, at least, tried all lawful means for obtaining the desired object is, to my mind, a misapplication of terms. It was known that they had not petitioned the Legislative Council to redress their alleged grievances, nor, indeed, the Executive Government here, but that they had petitioned Her Majesty the Queen on the subject, and that a reply had not yet been received, but might be expected at any moment.

Mr. Giddy knew this, and he knew also that the public expenditure of the province is far under 100,000*l.*, and was last year only about two-thirds of that amount, and that a very large portion of the revenue is derived from sources dependent on trade and commerce, and not affected so much by the increase or decrease of the population. Trade never was more flourishing on these fields than it is at the present time, and has been for some months past.

As regards the fourth reason. I may say that I am at all times willing to conciliate, when conciliation is proper; but Mr. Giddy appears to me to be unmindful that many of the "demands" made by the people whose cause he sympathizes with, are such as cannot be complied with, that their fundamental grievance is the position which coloured people occupy in this province, and that those people are not disqualified merely because of their colour from holding licenses to seek for diamonds, or otherwise from carrying on trade of any kind, and that when on a former occasion a majority of the three Commissioners at the time administering the Government (he being one of the majority), acting under somewhat similar pressure to that now attempted, issued a Proclamation, in order to conciliate, depriving all coloured persons of their digging licenses, and providing that for the future no coloured person should be eligible to hold a license. That sort of conciliation was regarded by your Excellency as very improper, and at once disallowed by you. In my opinion such conciliation is improper. I hold that British subjects should seek redress of grievances, whether real or imaginary, by lawful and legitimate proceedings, and not be encouraged to take up arms to force compliance with their demands whenever they feel disposed to do so.

Mr. Giddy also, as it appears to me, attaches undue importance to the views and opinions of the section of the community by which the demands for alterations to suit their particular purposes are made, most of the known leaders of it are men of no weight in the community, either in regard to property or otherwise, although there may be one or two men of means who keep in the back ground, and supply means to keep up the agitation to serve a purpose.

Entertaining these sentiments as as I did, I should have issued my notice in Thursday's "Gazette," had not other circumstances arisen which induced me to deem it expedient to delay doing so. These circumstances are described in the Secretary to Government's letter to Mr. H. Tucker of the 25th instant, a copy of which I annex.

Your Excellency will perceive that I was waited upon on Monday afternoon, the 22nd instant, by the proprietors' representative, Mr. Barry, and the manager of the Cape of Good Hope Bank, in order to ascertain whether I would be willing to grant an interview to Mr. Tucker and three or four others of the disaffected people, in their private capacities, to discuss certain three subjects, and that I expressed my willingness to do so.

It appeared to me to be possible that, if Messrs. Barry and Feltham, and certain other gentlemen named by them, were to make determined use of the influence which they possessed, they might bring Mr. Tucker and his associates to reason, and that therefore it was my duty to allow the attempt to be made; but in consenting to receive Mr. Tucker and his four or five friends, I stipulated that the application for an interview must be in their individual capacities, and not as members of the unlawful association to which they belonged, and that our discussion must be confined to the subjects named.

Your Excellency will find by Mr. Tucker's letter of the 24th instant, of which I annex a copy, that he took advantage of my willingness to afford him a reasonable opportunity for meeting me in a legitimate way to endeavour to obtain the interview as a "deputation," and as such to enter upon the discussion of a variety of other subjects; in fact, to effect under cover an object which he knew I would not permit if openly attempted, and which I had previously refused compliance with, viz., the recognition of an unlawful organization by receiving its representatives. No doubt further correspondence will ensue, but it is impossible at present to foresee whether it will effect much good.

* * * * *

Another matter that has come to light is that great laxity exists in the conduct and supervision of the gun trade. Hearing that there had been a brisk trade in guns and ammunition with the disaffected, I sent for the register kept by the officer entrusted with the duty of issuing permits for the sale of those articles, and, noticing irregularities therein, I called upon the magistrate to do his duty, by making a personal inspection of the stores and stocks of all licensed dealers, and an examination of the books and records they are bound to keep.

The result of the first day's inspection was to discover some extensive illicit traffic, for which the parties concerned will in due course be prosecuted. Further examinations are being and will be made, in which, however, a little delay is caused by this being Easter-tide, and places of business being closed for a day or two. I shall have the examinations pushed forward as rapidly as possible, in order that all who have broken the law at such a time may be brought to justice.

It is alleged that Mr. Hall and some others are endeavouring to form a company to purchase the farm Vooruitzicht. If they succeed in doing that the difficulties in the way of maintaining order in Kimberley will be much greater than it is now.

In conclusion, I must mention that the disaffected continue to assemble under arms, and to drill two or three times a week, and that I have no means of putting a stop to it without calling upon the well-disposed to aid me; and then, if they responded in sufficient numbers to overawe the malcontents, I could not expect them to continue to act either as special constables or any other armed force for a lengthened period.

Under these circumstances I trust your Excellency will consider that it is needful and proper that a sufficient force should be kept here, for a time at least, until order is restored, and the ringleaders of the armed opposition shall have been made amenable to justice for their doings. I must add that I have it from reliable sources that the well-disposed inhabitants, or many of them, are being compelled to contribute funds in support of the agitation by a system of intimidation which, if not checked, will rapidly increase in all probability.

I have, &c.

(Signed) R. SOUTHEY, Lieutenant-Governor.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 12.

Government Notice.

THE Lieutenant-Governor being of opinion that it is expedient to form volunteer corps in this Province, hereby invites all subjects of Her Majesty the Queen, and other persons residing in the Province, who are willing to aid in upholding law and order, and in the protection of the property of the inhabitants, to enrol themselves before one or other of the Justices of the Peace, all of whom are authorized to enter the names in a register, and to administer the necessary oaths, provisionally, until further orders.

His Excellency desires to impress upon all persons possessed of property the necessity for an early response to this invitation, with a view to render unnecessary the expense which must be incurred if troops have to be sent here from distant places.

Inclosure 3 in No. 12.

Executive Council, Kimberley, March 22, 1875.

IT having been brought to the notice of the Executive that, for some days past, an association headed by Messrs. Henry Tucker, William Ling, Alfred Aylward, Blanch, and others has been enrolling men who have repeatedly assembled in arms both on horseback and on foot, and marched through the streets of Kimberley; that on one occasion they have assaulted a Kafir; that they have issued a manifesto, but have as yet committed no other overt act, and have not otherwise attempted to interfere either with the administration of the law or with the liberty or property of any one; but that certain persons have urged on his Excellency the Lieutenant-Governor the necessity of issuing a Government Notice or Proclamation calling on all loyal and well-disposed subjects to enrol themselves as volunteers for the preservation of law and order, and with a view to suppressing the demonstration of this association, I have the honour to state the following reasons which induced me to advise his Excellency the Lieutenant-Governor to abstain, for the present at any rate, from taking any measures to give effect to the wishes of those who would urge him to attempt the suppression of the said demonstration by force.

I am led, partly by my own observation and experience, and partly by what I consider reliable information, to the following conclusions, viz. :—

1. That these demonstrations if unopposed will subside quietly in a short time, and without any bad result either to Government or to private persons; and that if, on the other hand, they be met by a counter demonstration, needless bloodshed and great destruction of property may possibly follow.

2. That in a mixed population such as we have here, collected from many nationalities and containing a large majority of savages from the interior, anything that might provoke or even tend to violence is especially to be deprecated, if only in view of the possible consequences to many helpless women and children, to say nothing of the wide-spread ruin that might be caused by incendiarism in a camp composed of the lightest and most combustible materials.

3. That the demonstrations in question are not so much directed against the Government of this Province as against the exorbitant demands of the proprietors of the diamondiferous farms, who, owing to the disallowance of certain Ordinances passed by the Legislative Council last Session, are now enabled, under colour of law, to commence a series of actions calculated to confiscate the property both of claimholders and standholders, and drive them off the farms.

4. That a counter-demonstration by or under the sanction of this Government would have the effect of diverting, to a great extent, the stream of popular indignation from the proprietors and turning it entirely on the Government, to the immediate risk of the loss of the Province to the Empire.

5. That by remaining calm and watchful the Government loses nothing either in the estimation of the right minded portion of the population or in actual power, as there undoubtedly exists here a sufficient number of well-disposed persons to suppress actual riots and protect life and property should any real necessity arise.

6. That premature action on the part of this Government of the kind now suggested would prove a dead failure in the event of the proposed Government Notice or Proclamation eliciting a lukewarm response, and that unless some more urgent need be shown than yet exists, the support forthcoming for Government might possibly, not to say probably, be so small as only to give additional strength and prestige to the opposite party.

7. That the interests of humanity are opposed to the proposition of arming one section of the community against another, unless in case of dire and inevitable necessity, such as, in my opinion, has not yet arisen here.

8. That the measures contemplated might, and probably would, result in shooting down a number of our fellow countrymen for no better reason to satisfy the avarice of absentee proprietors, and consequently raise the value of their farms in the London markets.

9. That the legal rights of those proprietors are still undecided and *sub judice*, either in the High Court of this Province or on appeal; and that the agitation complained of results mainly if not entirely from certain *obiter dicta* of his Honour the Acting Recorder in the case of Alfred Ebdon v. William Ling, lately tried in the High Court, and from his Honour's refusal to stay execution of his judgment, pending the appeal allowed to his Excellency the High Commissioner and finally to Her Majesty in Council.

10. In conclusion, I beg to add that, in my humble opinion, alarmists who cry out before they are hurt ought not to be heeded; that there is as yet no cause for panic of any kind in any section of the community; and that time will show the great majority of those who have unfortunately allowed themselves to be drawn into this association that there are constitutional remedies yet available for any real grievance they may have.

(Signed) SIDNEY GODOLPHIN ALEXANDER SHIPPARD, M.A., B.C.L.,
Acting Attorney-General, Griqualand West.

Inclosure 4 in No. 12.

For entry on the Minutes of the Proceedings of the Executive Council, March 22, 1875.

I CANNOT advise the publication of a Government notice inviting the well-disposed inhabitants of this town to enrol themselves for the maintenance of good rule and order, because I think such a measure would still more exasperate the malcontents without producing any advantage to the Government.

If men were enrolled by the Government, I believe it would be impossible to avoid a collision, and if a single shot should be fired, it would in all probability lead to a serious riot and considerable loss of life.

I believe, from all I have heard, that the malcontents, with very few exceptions, are perfectly loyal. By their movement they seek reformation of the Government; they complain that the taxes imposed upon them are too heavy to be borne; that armed men are sent by Government to enforce the collection of these taxes; that it takes 100,000*l.* to govern the Province, a sum which they state it will be impossible to raise from the greatly reduced population on the fields.

By giving up some of the objectionable taxes, by greatly reducing expenditure, and by conciliating the men who think they have very great grievances, I believe all further disturbance may be stopped, and good rule and order would at once be restored.

I would, therefore very respectfully advise his Excellency the Lieutenant-Governor not to issue a Government notice, which is certain to provoke a worse feeling; but by wise conciliation overcome the present difficulty.

(Signed) R. W. H. GIDDY.

Inclosure 5 in No. 12.

*Secretary to Government's Office, Kimberley,
March 25, 1874.*

Sir,

IN acknowledging the receipt of your letter of yesterday's date, I am directed by the Lieutenant-Governor to acquaint you that you appear to be labouring under some misapprehension as to what, under present circumstances, his Excellency had expressed his willingness to do. I am therefore to state what it was that induced his Excellency to express an opinion as to his receiving yourself and certain other gentlemen of this place.

2. On Monday afternoon last his Excellency was waited upon by Mr. T. Barry, the representative of the proprietors of Vooruitzicht, and Mr. H. Feltham, the manager of Cape of Good Hope Bank, who represented that in a conversation which had passed between Mr. Barry and yourself that morning, you had expressed a desire for a personal

conference with the Lieutenant-Governor on certain subjects which were described in a Memorandum written by yourself, viz.:—

(1.) "Registration of servants to be altered.
(2.) "Vagrant Law to be enforced, and better order, &c., to be established on Sundays.

(3.) "Diggers prepared to assist Government to the fullest extent in the matter."

4. Mr. Barry and Mr. Feltham desired to ascertain whether, if an application were made by yourself and certain three or four other gentlemen for an interview in your individual capacities as residents, to discuss the subjects named, his Excellency would be willing to see you.

5. To this his Excellency replied that he never had refused to receive and confer with individual members of the community who desired an interview with him on lawful and legitimate subjects; and as he regarded the subjects you wished to discuss to be such, he had no objection to confer with you and the other gentlemen thereon, but that it must be distinctly understood that his Excellency was not prepared to receive you and them except as private members of the community, and that in any application you make for an interview, it must be distinctly stated that you apply in that capacity only, and that the subjects previously mentioned must be stated to be those to be discussed.

6. In your letter under acknowledgment you represent that you had been informed that his Excellency is not unwilling to receive a "deputation to discuss matters of grave and general importance," and represent that the following gentlemen—Messrs. W. Ling, G. R. Rausch, J. G. Ross, R. Jamieson, and H. Tucker—desire an interview to discuss subjects considerably in excess of those above mentioned, and most of them materially different therefrom.

7. As several of the matters now brought forward by you are such as, if the Lieutenant-Governor were satisfied that alterations were needed, would render legislation upon them necessary, his Excellency is of opinion that the proper course to be adopted is to represent by letter or by Petitions what changes you deem to be needful and proper, and to solicit attention thereto. If, having done this, the Lieutenant-Governor concurs in your view he would be prepared to submit measures to the Legislative Council thereon. On the other hand, if he differed from you, the Council being now in session, it would be open to you and those who hold similar opinions to petition the Council to effect the alterations you desire.

8. This applies to the following subjects mentioned in your letter:—

Penalties for illicit diamond buying;
Alterations in the issue of certain licenses;
Amendment of Ordinances Nos. 18 and 11.

9. His Excellency does not understand the points you propose to discuss respecting the following two matters:—

Adjudication of police cases;
Relative positions of proprietors and inhabitants of the several camps;
And would desire to have particulars thereof before entering upon a verbal discussion of them.

10. With regard to your wishes to discuss questions with regard to what you allege to be the "obnoxious positions of certain officers of Government and public functionaries," his Excellency would under any circumstances decline to discuss such questions with you unless he is first informed in writing who the officers and functionaries are, and of what acts of theirs you complain.

11. In respect of what you allege to be the "difficulties threatening out of native and other claims to land," his Excellency desires me to say that he does not admit that any such difficulties are threatening, but that as a Draft Ordinance is now before the Council to provide for the proper adjudication of all disputed land cases, he will be prepared to receive and give due consideration to any representations or suggestions which you or others may be disposed to favour him with upon the provisions of that measure.

12. There remain three other subjects to be alluded to, viz.:—

The necessity for a Vagrant Law;
Camp regulations for security and order;
Amendment in regard to registration of servants, and fees payable thereon.

These the Lieutenant-Governor considers to be in substance the subject named by Mr. Barry as those on which you desire to have an interview, and with respect to which his Excellency expressed his willingness to receive you and certain other gentlemen on receiving an application from you and them, as private individuals, soliciting such an interview.

13. His Excellency is of opinion that as a rule, it is best that such discussions should be in writing to avoid misunderstandings, but he is willing in this instance to depart from what he considers the better course, and upon receiving a joint application from yourself and the other gentlemen named in your letter expressive of a desire for an interview, as private gentlemen, to confer on the three last-named subjects, he will name a time for receiving you.

14. As regards the other matters referred to in your letter under acknowledgment, it is, of course, open to you to address the Lieutenant-Governor in writing thereon, and, if on receipt of such communications, it shall appear desirable to his Excellency to confer with you verbally, an intimation to that effect will be conveyed to you, or an application for an interview may be made on your part.

I have, &c.

(Signed) JOHN B. CURREY, *Secretary to Government.*

Henry Tucker, Esq.

Inclosure 6 in No. 12.

THE QUONDAM DELEGATES AND THE GOVERNMENT.—The following correspondence appears in the "Mining Gazette" of yesterday as having taken place between the Government and Mr. Henry Tucker. It is that which is referred to in our leading columns :—

"Sir,

"Kimberley, March 24, 1875.

"Having been informed that his Excellency is not unwilling to receive a deputation to discuss matters of grave and general importance.

"I have the honour to request that you will acquaint his Excellency that the following gentlemen desire an interview with him :—Messrs. W. Ling, G. R. Blanch, J. G. Ross, H. Tucker, and R. Jamieson, upon the following subjects, viz. :—

1. Adjudication of police cases.
2. Penalties for illicit diamond buying.
3. Necessity for a vagrant act.
4. Camp regulations for security and order.
5. Alterations in the issue of certain licenses.
6. Amendment of Ordinance No. 21.
7. Amendment of Ordinance No. 18.
8. Amendment in regard to registration of servants, and fees payable thereon.
9. Relative position of proprietors and inhabitants of the several camps.
10. Obnoxious position of certain officers of Government and public functionaries.
11. Difficulties threatening out of native and other claims to land.

"You will oblige by informing me if his Excellency will receive the deputation now named, and when it will be convenient to receive them.

"I have, &c.

"To the Hon. J. B. Currey,
"Secretary to Government, Kimberley."

(Signed) "H. TUCKER.

No. 13.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, May 5, 1875.

I HAVE received your despatches dated March 1, 1875,* and March 25, 1875,† inclosing despatches from the Lieutenant-Governor of Griqualand West, on the subject of the revenue and expenditure of that Province for the years 1874 and 1875.

2. I cannot but regard the state of affairs disclosed by these despatches as being in the highest degree unsatisfactory, though I have had so little information with respect to the financial requirements of the Province that it is impossible for me to express an opinion on many points which might require remarks. I cannot, however, but observe that the cost of Government in Griqualand West seems very great while the results achieved are very small.

3. If I am rightly informed the mining population of the Province (which is practically

* No. 8.

† Not printed.

the entire white population of Griqualand West) does not exceed 10,000 in number. The public expenditure for 1874, exclusive of that on surveys and public works, was over 75,000*l.* The cost of Government was thus 7*l.* 10*s.* per head of the white population, which must be regarded as a very high rate, unless there should be a very numerous native population whose management would add greatly to the cost of Government. This, however, does not appear to be the case in Griqualand West.

4. On the other hand, it would appear, in spite of this heavy cost, that the constabulary force at the disposal of the Government is so weak that the Governor is entirely unable to face or quell any serious disturbance without having recourse to extraordinary means. Indeed, it is shown by Lieutenant-Governor Southey, in a subsequent despatch dealing with other matters, that the constabulary force numbered only thirty men, although it appears that in 1874 nearly 12,000*l.* was spent upon "police" independent of goal and convict expenditure.

5. It must be unnecessary for me to point out to you the supreme importance of maintaining an efficient and adequate police force at the diamond diggings for the preservation of life and order, and the protection of property; and whilst I am still left in ignorance of many of the details which are necessary to the forming of a correct conclusion, I cannot conceal from myself that there is a weakness on the part of the Government in this respect which may easily lead to very serious consequences. I must own to much surprise that a Governor of Mr. Southey's experience and ability should have allowed himself to be placed in so unfortunate a position.

6. I write, however, as I did on the 13th March last, without the full and detailed information which should long ago have been supplied to me by the due transmission of the estimates of revenue and expenditure. In Griqualand West the requirements of the Colonial regulations in regard to returns of revenue and disbursements, and the time of preparing the estimates have not been attended to, and I have been called upon to consider very exceptional financial proposals without being placed in possession of any intelligible evidence of the capability of the Province to bear the burdens proposed to be laid upon it.

7. I trust that I shall now receive, at a very early date, the information for which I have repeatedly and urgently asked.

I have, &c.
(Signed) CARNARVON.

No. 14.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir, *Downing Street, May 13, 1875.*
I HAVE to acknowledge the receipt of your despatch of the 15th March,* forwarding a copy of the Speech with which the Lieutenant-Governor of Griqualand West opened the Session of the Legislative Council of that Province on the 5th March.

I have, &c.
(Signed) CARNARVON.

No. 15.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

(Confidential.)

Sir, *Downing Street, May 14, 1875.*
I HAVE received your despatch, marked "Confidential," of 6th April, 1875,† with the inclosed despatch from Lieutenant-Governor Southey, dealing with the affairs at Griqualand West.

I observe with the greatest regret the alarming and even dangerous state of affairs which you report, but notwithstanding the anxiety which such a condition of things necessarily creates, it would, as far as I can judge of the circumstances of the case, have even a more disastrous effect to have recourse to the employment of Her Majesty's troops at this juncture. I therefore fully approve the decision at which you arrived, to withhold any orders for their dispatch to Griqualand.

2. Before expressing any opinion on the proper mode of dealing with the difficult

* No. 9.

† No. 12.

questions raised by your despatches, it may not be out of place if I very briefly recapitulate what I understand to be the history of the events which have brought about the present disasters.

3. Some time previous to the year 1871, diamonds had been discovered upon certain farms, within the territory of the West Griquas, but over which the Orange Free State at the time exercised a *de facto* jurisdiction, and a large population of diggers and traders had collected there.

4. In June 1871 the Orange Free State passed a law applying to these farms, which, proceeding apparently upon the theory that all precious stones belonged to the State, gave the diggers very extensive rights, both of digging for diamonds and of placing a servitude upon the surface lands for various purposes connected with digging. Soon after this the territories of the West Griquas were taken over by Her Majesty, and on the 27th of October were declared to be British territory. The boundaries, however, of the territory were in dispute with the Orange Free State, and the disputed portion included the diamond farms.

5. In order to quiet the apprehensions of persons who had settled on the spot, you issued a Proclamation on the 27th October, 1871, in which you declared that Her Majesty had no intention to invalidate or prejudicially affect in any way the private rights or titles to the possession of any property, movable or immovable, and *bonâ fide* acquired, of any inhabitant of the territory in dispute; and that all such existing titles of private persons would be duly respected, as under the laws of the State or Government under which those private persons might have theretofore been living *de facto* would have been considered valid.

6. Another Proclamation of the same date was issued by you, for the purpose of regulating the working of diamond diggings, and in this Proclamation different regulations were made, according as the diggings were situate on land the title to which was or was not subject to a reservation of precious stones or minerals in favour of the Crown; and you also appointed three Commissioners to act for you in the government of the territory. On the 17th of November, 1871, two of these Commissioners issued Proclamations for the purpose of declaring certain portions of the farms above mentioned to be public Diamond Fields, with the object of bringing them under the operation of the Regulations made in that behalf by you.

7. These Proclamations of the Commissioners recited in their preamble that the title to the farm of Vooruitzicht (or as the case might be) was not subject to any reservation of precious stones or minerals in favour of the Crown.

8. In this state of affairs a contention has arisen between the proprietors of these farms (more particularly of Vooruitzicht) and the diggers.

9. The diggers appeal to the Ordinance of the Orange Free State, confirmed by the terms of your Proclamation preserving all existing rights, which they call their Charter, and under which they claim the right to work on paying a licence as fixed by the Government, and also the right for the Government to place the farm under a servitude with respect to the use of wood, water, stock-grazing, buildings, lands, and business stands.

10. The proprietors contend for full right of ownership under the Proclamations of the Commissioners last mentioned, and have notified the Government that they require the diggers' licences to be raised from 10s. to 10l. a month; but I believe that they have hitherto refrained from pressing these claims.

11. As the questions at issue raised points of law, I have refused to sanction any attempt to solve them by legislation in the interest of either party, and have directed that they should be remitted to the Law Courts for a decision. But in the mean time great agitation has prevailed among the diggers, who claim the alleged benefits of their "Charter," and have been reported by you as disposed to resist by force any attempt to infringe what they deem to be their "rights." It has, moreover, been represented to me that this agitation is fostered from outside (and, if it be true, this would be most inexcusable) by the proprietors themselves, who, it is said, being anxious to sell to the Government, desire, by increasing the difficulty of maintaining law and order, to force a purchase at their own price.

12. In these circumstances an action of ejectment has lately been brought by the proprietors against Mr. Ling, a digger, to remove him from a portion of the diamond diggings, which he occupies, and which the proprietors allege they require.

This action was resisted, and has been tried before the Acting Recorder, Mr. Thompson, whom, in passing, I note as one of the Commissioners who issued the Proclamation of November 17th, 1871. The action has gone against Mr. Ling, and the Sheriff will be bound to enforce the writ unless execution be stayed pending an appeal, which (it is rumoured) Mr. Thompson has refused to do.

The diggers, on the other hand, have been arming and drilling, and have openly defied the Government to execute the writ.

13. Mr. Southey apprehends bloodshed, states he is powerless to keep the peace, and, having only thirty constabulary at his command, has asked for the support of troops from the Cape.

14. The question thus arising, What is the proper position for a Government to occupy in the presence of two parties brought face to face, as are the proprietors and diggers at the present moment. I need scarcely repeat what I have often before said in substance, that it is not for the Government to be drawn into any of these questions which admit of a settlement in the ordinary course by the calm decision of a Law Court : where, indeed, as in old established countries, the Government is at the head of a regularly organized society, in which the mass of the population agree on the fundamental principles by which they are bound together, the law under which they are to live, and within certain limits the rights of property to be administered, there is little or no difficulty in leaving such questions as those now in dispute to the peaceful solution of a court of justice. But where, as in Griqualand, the conditions of an organized society are yet greatly wanting, where the population is of a mingled character, hastily brought together, and as yet unamalgamated by common ties and relationship, and apparently of a somewhat excitable, though I am quite ready to believe of a thoroughly loyal temper ; when, moreover, there is reason for suspecting, as I gather from your despatches with the greatest regret, that the proprietors of the diamond farms, so far from smoothing are rather aggravating the difficulties of the conjuncture, it is evident that in self protection, and to prevent continued and dangerous disorders, a Government will be justified in taking a course which, though unusual, may be necessary.

15. Under all the circumstances of the case, it seems to me that the best and simplest course now open would be for the Government to make a compromise with the proprietors, by which the farms should be bought by the Government. To effect this on reasonable terms, and with anything like justice to the Government, would require all the judgment and tact on which I am sure I can count in your case.

16. Failing this, and in view of actual disorder, and even the threatenings of bloodshed, with the possible consequences which no civilized Government can tolerate without forfeiting all claim to respect, and looking to the fact that the title to the soil, and the most fundamental principles of tenure are all in dispute, the Government would, I consider, be justified, in the last resort, in stepping in and taking possession of the soil as a temporary and provisional measure, or even in holding it with the view of ultimately acquiring it by purchase, should it be found possible, when circumstances are less pressing, and when the present local irritation has abated, to arrive at fair and reasonable terms by arbitration or otherwise. Though by no means favourable to legislation on this subject under present conditions, I will not say that it may not in such case be found expedient to consider the propriety of an Ordinance to enable the Government to effect this without liability for damage to either party.

17. I will only add that, to take such a step as this would be a very serious measure, and only to be justified on the ground of public necessity. If, however, the local Government were, as I have said, to assume temporary and provisional possession, it would be its duty to make such regulations for working the mines as might be thought most conducive to the public interest, but it should remain in possession no longer than is found absolutely necessary in the interests of public order, and should restore the land to the proprietors so soon as it should appear that this could safely be done.

18. I must impress upon you the necessity of proceeding with great caution in this matter, but if it be true that there is a wide and deep-rooted determination on the part of the population of the country to resist by force the claims which it is sought to urge against them, it is evident that the Local Government may be obliged to take upon itself to deal with the matter in dispute in such a way as to avoid bloodshed, even though that way may not be such as is usual in old established communities, with settled institutions ; while, if it be true that the agitation is unreal and only got up for speculative purposes, it will probably disappear as soon as the intentions of the Government are known.

I have, &c.

(Signed) CARNARVON.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 21.)

My Lord,

Cape Town, April 23, 1875.

WHEN reporting on the 5th instant the armed demonstrations which were being made at the Diamond Fields by the Diggers' Protection Association, I expressed a confident hope that beneficial results would ensue from an interview which some of the leading men of business at Kimberley were labouring to bring about between the Lieutenant-Governor and a few of the more intelligent malcontents, and that I should be thus spared the painful alternative of sending up Her Majesty's troops to restore order.

2. This interview did not, unfortunately, take place; and after an interval of comparative inaction, during which, to judge from the accounts privately transmitted by Mr. Southey, the disaffected seemed to be rapidly losing ground, things, I am grieved to say, came to a crisis on the 12th instant, when, as will be seen from his despatch of the 15th, a large number of the Associationists took up arms to prevent the conveyance to gaol of one of their number who had been sentenced, in default of payment of a fine of 50*l.*, to three months' imprisonment with hard labour, for dealing in guns without a license.

3. Though very far outnumbered, the police, supported by a few gentlemen in the Civil Service, who had come to their assistance, held gallantly to their prisoner, and after a short parley an arrangement was entered into, under which he was released on payment of the fine by a cheque, which it was understood should not be cashed until the Recorder of the High Court should, on the review required by Colonial law, confirm the magistrate's sentence.

4. I trust your Lordship will concur with me in the opinion I expressed to Mr. Southey that the officers of the Government, whose names he mentioned, as well as the officers and men of the police force, are deserving of the highest credit for the loyalty and courage which they displayed on the occasion.

5. On receiving the substance of the above news on the evening of the 15th by telegram from Colesberg, I at once placed myself in communication with the Lieutenant-General commanding, in order that a sufficient military force should be promptly got ready in case of need. Copies of the principal part of my correspondence with Sir Arthur Cunynghame on the subject are appended for your Lordship's information. It will be perceived from the last paragraph of my letter of to-day that I have not yet requested that the actual arrangements for the dispatch of the troops may be made, there still remaining a possibility that the heavy expenditure required for the purpose may be avoided.

6. In fact, when the last post left the Diamond Fields a deputation, headed by the clergy, was to wait on the Lieutenant-Governor next day with a view to effect an accommodation, based on the suspension of all armed demonstrations; whilst, on the other hand, I have myself received a telegram from Mr. Rausch, Chairman of the Mining Board of Kimberley, affirming, in the strongest terms, the loyalty of the diggers, deprecating the ruinous and unnecessary expense of sending troops, and stating that he himself, accompanied by three others (one of whom is a brother to Mr. Henry Tucker, the chairman of the Diggers' Protection Association), were to leave on the 18th instant for Cape Town to explain to me how a settlement of present differences could be accomplished.

7. It is not probable that these gentlemen will arrive before the departure of the next mail-steamer for England, but if matters have not been previously arranged with Mr. Southey, your Lordship may rely on my doing all in my power, consistently with the honour and dignity of the Crown, to put an end to the present deplorable state of affairs in Griqualand West, without resorting to military intervention.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 16.

Sir,

Lieutenant-Governor's Office, Kimberley, April 15, 1875.

WITH reference to the telegraphic message which I forwarded to Colesberg on Tuesday morning the 13th instant, for transmission from there to your Excellency, and in which I reported the armed resistance offered on the previous day by a large number of the so-called Digger's Protection Association to the officers of justice while in the execution of their duty, I have now the honour of transmitting a copy of a letter addressed to the Secretary to Government by the Acting Resident Magistrate, in which a detailed account is given of what took place.

2. It came to my notice some weeks ago that the Digger's Protection Association was obtaining a large supply of breech-loading guns and ammunition. One person told me of an order having been given for 200, the payment for which was guaranteed by certain members of the association whose names were mentioned, and I heard of other purchases being made from other persons.

3. On inquiry of the officer charged with the duty of issuing permits for the sale and purchase of guns, and by examination of his register, it became evident that the transactions referred to, and probably many others, were being conducted clandestinely, and I therefore called upon the Magistrate to perform the duty which the laws for regulating the trade in arms and ammunition contemplated he should perform, by examining the stock in hand of the several licensed dealers, comparing those stocks with the books and permits they are required to have and keep; and to ascertain, if possible, to what extent the illicit trade was carried on.

The result of this examination was to seize a quantity of gunpowder and to cause criminal charges to be brought against several dealers.

4. Among other irregularities it was discovered that twelve breech-loading guns had been sold to a man named Cowie (who was not a licensed dealer in them), and that he had passed them on to one Alfred Aylward for the use of the Association before referred to. Cowie was charged in due course of law with a contravention of the special law applicable to the gun trade, and after a fair and full trial he was found guilty and sentenced to pay a fine of 50*l.*, or in default of payment to suffer three months' imprisonment with hard labour.

The fine was not paid and the police took the man in charge for the purpose of conveying him to prison, and then followed what is described in the inclosed letter of the Magistrate.

5. At the time when sentence was passed I and the other executive officers were in the Legislative Council Chamber, waiting for the arrival of the unofficial members to commence business, pursuant to previous adjournment. It very soon became apparent, however, that no business could be performed for a number of the men belonging to the Association were seen rushing across the Market Square, and in a minute or two afterwards to be returning towards the Magistrate's Court with arms in their hands.

A number of them drew up in front of the Council Chamber, were formed into line by an ex-sergeant of the 86th Regiment; ordered to load with ball, and immediately after doing so, received the order "march by the right, quick march;" and at once proceeded in that state in the direction of the Court House.

6. The Acting Attorney-General left the Chamber and went in the same direction, and shortly afterwards returned and informed me that Messrs. Tucker and Ling, in company with the Acting Magistrate, had come up to the public offices, and desired a conference with me. I requested the Attorney-General to ascertain what they desired the conference for, and to require them to put in writing what it was they wanted to represent to me, and Mr. Shippard left me for that purpose. The Secretary to Government followed almost immediately, and I afterwards learnt that upon his becoming aware that the object was to induce the Government to consent to allowing the actual payment of the fine of 50*l.* to stand over under security until the Recorder of the High Court had confirmed the sentence, he conferred with the Magistrate and got that arranged without in any way compromising the Government or the Court of Justice.

7. I felt that at so serious a moment it was necessary, at all hazards, there should be no wavering on the part of the Government, although opposed by so overwhelming a force; and I am gratified at being able to say that, in the face of the most imminent peril, I received heroic support from all who took part in the proceedings.

The Acting Magistrate, Mr. D'Arcy, by accompanying the police in charge of the prisoner to the precincts of the gaol, and remaining steady at his post until the crisis was past, exhibited a fitness for the office he holds, which I consider to be but a simple act of justice to a young officer to bring prominently to your Excellency's notice. The small party of the armed constabulary under Mr. Inspector Percy and Sub-Inspector McKenna, and the still smaller number of the mounted police under Sergeant Bradshaw, displayed a degree of steadiness and courage in the face of an enemy out-numbering them by at least ten to one, which deserves the highest praise; while I feel that the Government is deeply indebted to the several gentlemen of the Civil Service, mentioned in Mr. d'Arcy's letter, who voluntarily accompanied the police in charge of the prisoner on perceiving the threatened danger. I am confident that the exhibition of courage and firmness which I have here very imperfectly represented to your Excellency, had an excellent effect upon the members of the "Association" at the time assembled together for such unlawful purposes.

8. It now only remains for me to add that I feel very much indebted to the Secretary

to Government and the Acting Attorney-General for the courage, tact, and zeal evinced by them on the trying occasion.

We had reached a point at which it appeared to be almost inevitable that the Government and the Law Courts should be compromised to avoid bloodshed, but this point was passed over safely by the display of courage, zeal, and tact which I have endeavoured to bring thus briefly, and I fear without sufficient force, under your Excellency's notice.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor*.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 16.

Sir,

Kimberley, April 13, 1875.

I HAVE the honour to report, for the information of his Excellency the Lieutenant-Governor, that yesterday at about 4 P.M. the case of the Queen v. Cowie for delivering guns without the necessary license or permit in contravention of section 13 of Ordinance No. 2 of 1853 of the Cape of Good Hope, amended as regards the penalties by section 11 of Ordinance No. 29 of 1874 of this Province came to a conclusion, when the accused was convicted and sentenced to pay a fine of 50*l.*, or three months' imprisonment with hard labour.

2. Owing to the fact of my being a material witness, Mr. Gray, the Additional Resident Magistrate stationed at Du Toit's Pan, was specially appointed to try the case.

3. Immediately upon sentence being passed upon the prisoner, the spectators in Court began to leave, and it was apparent, from the noise outside the Court, that some movement was on foot. I may here mention that it had been reported to me early in the day that, in the event of the prisoner (Cowie) being convicted, he would be rescued by the so-called "Association," and this information was duly conveyed to the Government, in order that instructions might be given to the police.

4. When the noise was heard I saw armed men outside the Court House, and gave orders to close the door, the prisoner, who had not paid the fine, remaining in the custody of the Court. I then went round by a side door to the Market Square, at one corner of which the Court House stands, and saw about thirty armed men, apparently under the command of a man named Fisher who was addressing them, being formed in line by an ex-sergeant of the 86th regiment named Bryan, who was lately a messenger in the service of the Government.

After the lapse of a few minutes Cowie, the prisoner, having refused to pay the fine, was removed from the Court House by a private door, leading from one of the back offices into the street leading from the Market Square to the gaol, and marched down towards the prison, a distance of about 250 yards, under escort of three unmounted men of the Griqualand Mounted Police, under Sergeant Bradshaw, and accompanied by Inspector Percy, of the Griqualand Armed Constabulary, and Detective Collins; Sub-Inspector McKenna, of the Griqualand Armed Constabulary, having been sent on before to call out the main body of constabulary at the barracks, just beyond the gaol.

6. I thought it proper to proceed in person to the gaol, and I followed close behind the escort, being accompanied by the following Justices of the Peace:—Captain Carr, Dr. Grimmer, and Messrs. Merriman and Roper. Immediately the prisoner was seen going down the street the armed men, previously referred to as being in the Market Square, came round the corner of the Court House and proceeded at the double down the street leading from the Court House to the prison. I observed that many of them were carrying their guns at a charging position, others presenting, and others again loading hastily as they ran. I warned the escort of these men in their rear, as I fully anticipated from their action that they were about to fire, and I endeavoured, by keeping with the escort and watching the movements of the armed men following us, to be in a position to give warning of any immediate danger of attack.

7. When within about a hundred yards of the gaol the armed men referred to passed us at the double, and placed themselves in front of the gaol, barring the entrance. I then noticed for the first time another body of armed men, drawn up below the gaol gate, thus effectually preventing the escort from lodging the prisoner in gaol unless they dispersed of their own accord or were dispersed by force.

8. When the escort with the prisoner reached the front of the gaol they halted at about twenty paces from the gate, facing the armed men already posted there. At this time there were in all some 150 armed men obstructing the entrance to the prison.

Immediately after the escort halted about 24 non-commissioned officers and men of the Griqualand Armed Constabulary, armed with rifles with fixed bayonets, came round the lower corner of the gaol from the police barracks, and took up their position in front of the rebels. There were then probably from 2,500 to 3,000 people, armed and unarmed, assembled in the neighbourhood of the gaol, and any firing must inevitably have caused great loss of life.

9. Seeing that the odds against the police were about 15 to 1 I addressed the armed men, then mustering some 300 in number, and asked who was their leader. Upon this Mr. William Ling stepped forward and said that he was. I asked him if he knew what he was doing, and he called on Mr. Henry Tucker to come forward. Mr. Tucker then advanced. Ling said they had been goaded into their present action, and asked if they could see the Governor. I said that, in the hope of avoiding a collision, I would go with them and communicate with his Excellency, who was at the Legislative Council.

10. I must here state that, whilst I was speaking to Messrs. Tucker and Ling in front of the rebels, one of their number (I believe one Schlichmann) discharged a revolver within a couple of paces of where I was standing; the ball took an upward course, passing close to my head, and, although I do not suppose there was an intention on his part to shoot me, it impressed me at the time with the idea that the shot was fired for the purpose of bringing about a general attack on the police.

11. At the request of Mr. Tucker I asked Inspector Percy to let things remain *in statu quo* until my return, and I walked up to the public offices with Messrs. Ling and Tucker.

12. His Excellency, through the Acting Attorney-General, who came from the Council Room, desired that the matters they wished to bring to his notice should be stated in writing, and we entered the office of the Secretary to Government. After a short discussion, in which it appeared that the alleged grievance was the refusal of Mr. Gray, who had tried the case, to admit the prisoner to bail, pending the review of the case in the ordinary course of law by his Honour the Recorder, the Secretary to Government, who had arrived, asked Mr. Gray, who was present, whether he was able and willing to reconsider such an application. Mr. Gray had no doubt as to his power to do so, but declined to reopen the matter. The Secretary to Government then asked me whether I could consider the application, and I expressed my readiness to do so, when Mr. Tucker proposed to pay the fine, provided I would hold his cheque pending the revision of the case. To this I agreed. Mr. Tucker then addressing the Acting Attorney-General, expressed a hope that no steps would be taken against any person in respect of the day's occurrences, and the Acting Attorney-General replied with some warmth that he would give no such assurance.

13. Mr. Tucker gave me his cheque for the amount of the fine and I returned to the prison, where I found everything as I had left it, except that the surrounding crowd was much larger, and the Inspector of Constabulary had completed a flank movement of his men so as to place them on the left flank of the rebels, where, however, they were again outflanked by a third body known as Schlichmann's Germans, who occupied some mounds of soil to their left. Cowie was still in the custody of the escort, and I liberated him. Mr. Tucker then addressed his men and dismissed them.

14. The following persons appeared to be in command of the armed men, viz., Messrs. Tucker, Ling, Blanch, Fisher, and Schlichmann. In the ranks of the rebels I noticed several ex-convicts, but at present can only remember the name of J. Dahle, sentenced by me nearly a year ago to twelve months' imprisonment and twenty-five lashes for inducing a native servant to steal diamonds from his master.

15. It is due to the officers of the constabulary to state that they were engaged at the Court house when sentence was passed on Cowie, which probably accounts for the fact of the rebels gaining possession of the entrance to the gaol.

16. I cannot but bring to the notice of his Excellency the Lieutenant-Governor the perfect steadiness of the constabulary and mounted police under Inspector Percy and Sub-Inspector McKenna, Griqualand armed constabulary, and Sergeant Bradshaw, Griqualand mounted police: and I desire to express my acknowledgments to the several Justices of the Peace already mentioned, who accompanied me to the gaol, and remained with the prisoner under circumstances of no ordinary danger.

I have, &c.

(Signed)

R. K. H. D'ARCY;

Acting Resident Magistrate.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 3 in No. 16.

Sir,

Government House, Cape Town, April 22, 1875.

I HAVE received by this morning's post your despatch of the 15th instant, giving a more detailed account of the armed resistance offered on the 12th to the imprisonment of Cowie, and of the measures by which it was frustrated, than had been conveyed to me by your telegram from Colesberg, which had reached me in due course.

2. I concur with your Excellency that the courage and firmness displayed by the Secretary to Government, the Acting Attorney-General, Mr. D'Arcy, and the other members of the Civil Service of the Province on the occasion, is deserving of the warmest praise, whilst the coolness and steadiness of Inspector Percy, Sub-Inspector McKenna, and Sergeant Bradshaw, with the small body of police constables under their command, in presence of overwhelming numbers, was most creditable.

3. I shall not fail to bring the conduct of all these parties to the favourable notice of the Right Honourable the Secretary of State for the Colonies.

4. You are already aware from my reply to your telegram that I lost no time in placing myself in communication with the Lieutenant-General commanding, with regard to the dispatch of troops to your assistance.

5. The length of time required for their march, and the enormous expense which the movement would entail, render it, however, extremely undesirable to adopt this course, except in case of danger to life or property.

6. I inclose copy of the latest letter I have received from Sir Arthur Cunynghame on the subject, from which you will perceive that the lowest estimate of the cost of the arrangements which he considers necessary is 25,800*l*.

7. As the accounts just received appear to indicate that no further immediate display of violence on the part of the Diggers' Association was to be apprehended, I shall, instead of hurrying forward preparations regardless of cost, communicate further with the General as to reducing the estimated outlay.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 4 in No. 16.

Sir,

Government House, April 17, 1875.

THE latest accounts from the Diamond Fields show that armed combination for the purpose of resisting the execution of the laws still continues, and that the presence of a military force will probably be required to support the authority of the Local Government.

I have the honour, therefore, in my capacity of Governor of Griqualand West to request your Excellency to make arrangements for sending thither with all convenient speed such a body of Her Majesty's troops as may be considered sufficient under the circumstances.

From the communication which I have already had with your Excellency on the subject, I understand that it is proposed that this force should consist of two guns Royal Artillery, 250 infantry, and 60 cavalry, and though I should have been glad, on account of the expense, if a smaller force could have been sent, I am prepared to acquiesce in that proposal.

I should add that my responsible advisers in this Colony are of opinion that the Cape Parliament now in Session will not be disposed to assent to a troop of the Frontier Armed and Mounted Police being detached as suggested for this service.

I shall be obliged by your Excellency informing me, at your early convenience, when the infantry would be ready to start from hence, and how long they would take on the march up. As it is of great importance likewise that the outlay should be restricted as far as practicable, I shall be glad to be furnished with information before contracts are actually entered into by the Commissariat, as to what vehicles it is deemed necessary to hire or purchase for the expedition, and the cost at which they can be procured.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqualand West.

His Excellency Lieutenant-General Sir A. Cunynghame, K.C.B.,
Commanding in South Africa.

Inclosure 5 in No. 16.

Your Excellency,

Government House, April 17, 1875.

I DO myself the honour to acknowledge the receipt of your Excellency's letter of this day, and in obedience thereto, I beg to inform you that I have given directions for 250 infantry, with their officers, &c., and a division (?) guns to be placed in readiness to move. From my knowledge of the country I am of opinion that it would be unadvisable that this force should not be accompanied by a small number of cavalry, and should your Excellency not be able to attach to it a troop of the frontier force, then I will make the alternative arrangements (which were resorted to with such success in India) of mounting a small body, about forty, of the most eligible men of the 24th Regiment for this very essential duty.

I strongly recommend that the force should proceed with due diligence, but by regular marches, which would occupy about forty-eight days.

As soon as I receive your Excellency's final decision I will commence the contracts for the purchase of the requisite saddlery and equipments, also twenty horses for the artillery and forty for the mounted men.

The troops are ready, but, until the Control have power to contract, it is impossible to state any particular day on which the force will leave Wellington, but your Excellency may depend upon the utmost zeal and assiduity in forwarding your wishes.

It is of the utmost consequence that I receive intimation from you as to the arrangements regarding the frontier force; for, should they not be available, it would be requisite to take immediate steps to perfect the mounted force of infantry soldiers which would be improvised to meet this necessity; and I consider it most advisable that the force should be complete before they leave Wellington.

Every attention to economy, with due regard to efficiency, will be scrupulously adhered to, but the Deputy-Controller has informed me that it is impossible to state with any semblance of precision the expenses which will be entailed by this movable column; for even should the amount of a present contract for carriage from this to the diamond fields be approximately arrived at, as also the price of artillery and cavalry horses and their equipment, it is perfectly impossible to rely upon any basis for information as to future contracts for supplies which may be requisite higher up the country.

I do myself the honour to attach a memorandum regarding the cost of the movement, to which I have given my general concurrence.

I have, &c.

(Signed)

A. CUNYNGEHAME, *Lieutenant-General,*
*Commanding Cape Colony.*To His Excellency the Governor,
Griqualand West.

Inclosure 6 in No. 16.

ESTIMATED cost of sending a force of 350 officers and men, constituted as proposed, to the Diamond Fields, marching via Wellington, Beaufort West, and Hopetown.

	£
Horses, 60 at 50 <i>l.</i> each.. .. .	3,000
Saddlery for mounted men	400
Field allowance for officers	1,000
Transport up and down.. .. .	8,000
Extra cost of rations for 350 men for 182 days, at 1 <i>s.</i> a day per man ..	6,300
	<hr/>
	20,980

(Signed)

GEO. DEANE PITT, *Colonel,**April 17, 1875.**Deputy-Adjutant-General.*

As a rough estimate, I give my general concurrence to the above.

(Signed)

A. CUNYNGEHAME, *Lieutenant-General,*
*Commanding, Cape Colony.**April 17, 1875.*

Inclosure 7 in No. 16.

Sir,

Government House, April 19, 1875.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 17th instant, inclosing a rough estimate of the cost of sending a force of 350 officers and men, constituted as proposed, to the Diamond Fields. The amount of this estimate (20,980*l.*) greatly exceeds my expectation, and I am desirous of ascertaining whether the expense of the movement could not, with due regard to efficiency, be materially reduced.

I observe that no inconsiderable part of it is due to the arrangements to be made for creating a body of cavalry.

With regard to this point, I would call your Excellency's attention to the fact that the nucleus of such a force is already to be found in Griqualand West, where, a few weeks ago at least, a troop of mounted police, consisting of about thirty men, under the command of Captain Marshall, was in existence; and although it is possible that, during the recent retrenchments which the Lieutenant-Governor has been compelled to carry out, its strength may have been much diminished, there would be no difficulty in augmenting and reorganising it before the force from hence could reach Hopetown.

Moreover, although in the present state of affairs, my responsible advisers here do not consider it expedient to apply to Parliament to authorize the employment of the South African Mounted Police on this service, I have no doubt whatever that if accounts of open outrages were received, or if the least symptoms of a design to offer resistance to Her Majesty's troops was expected, instructions would be at once telegraphed to the Commandant at King Williamstown to send forward a troop, by forced marches, to meet the artillery and infantry *en route*.

I trust that, under such circumstances, your Excellency will not consider it essential that any part of the force sent hence should be mounted.

Another item which strikes me as susceptible of material reduction is that for transport up and down, which is estimated at 8,000*l.* I am not aware how many waggons would be required for carrying baggage, ammunition, &c., but I should have imagined that a sufficient number could either have been purchased or hired for less than half the sum named.

It must be remembered that there is a large and constant traffic along the whole line of road, and that the wants of the troops could be easily and cheaply supplemented from time to time.

I should be glad at any rate to be favoured with more detailed information as to the item of transport before anything is finally settled.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqualand West.

His Excellency Lieutenant-General Sir A. Cunyngham, K.C.B.,
Commanding Forces, South Africa.

Inclosure 8 in No. 16.

Your Excellency,

Capetown, April 21, 1875.

I HAVE endeavoured to calculate with more exactness the estimates of the cost of the column which I propose to send, should your Excellency request it, to Griqualand West. I am inclined to believe that it will considerably exceed the first rough estimate which I inclosed in my letter of the 17th instant.

I consider it essential that a body of mounted men should form a portion of the column; but I do not think that any satisfactory result would be arrived at by the assistance of such a mounted force as is said to exist in Griqualand West being attached to Her Majesty's troops.

I do not think that it would be prudent to delay the summons of a mounted force until open outrages occurred or symptoms of a design to offer resistance to Her Majesty's troops were displayed, situated as the frontier force is on the eastern frontier, at a distance of 600 miles* from Kimberley. All the evils which their absence might engender would probably accrue before it would be even possible for them to receive notice of their presence being required. I am therefore of opinion that unless a troop of

* Say, 400.

the Frontier Police can with certainty be delegated for this duty, it would be necessary to form a small mounted force from the infantry.

The scale of transport is based upon that of marching to the Diamond Fields and returning, retaining one-third of the carriage while there, so that the power will rest in the hands of the officer commanding the column of rendering the column not absolutely immovable. Great danger may arise to Her Majesty's troops should they find themselves without provisions, and no means to procure them.

In my calculation of transport I have allowed but sparingly for the stores which will be required. I have depended on the country for a meat ration; but I do not think it would be prudent to depend upon that country for bread, when I am aware that all the flour that is consumed there is brought from a distance.

The estimated expense of sending this force is no doubt considerable, but from information which I am receiving, I am inclined to believe that the entire sum of 25,800*l.* for its employment, beyond what the force would cost should they remain here, will be exceeded.

According to your Excellency's desire I inclose you a memorandum, showing, generally, the employment of the transport.

I am sure your Excellency will believe that I am actuated by but one feeling, that the assistance which Her Majesty's troops should render should be effective, and that the military prestige should be secured.

I have caused inquiry by telegram to be made of the cost of ox-waggons by the day from Port Elizabeth to Kimberley, and the answer which has been received is that the usual price was from 3*l.* 10*s.* to 4*l.* (a day). The distance is less, and the time occupied would be less, and possibly no greater difficulty might be experienced in horsing the Artillery or the Mounted Infantry there than there would be here, but the item of transport by sea must be taken into account, and this probably would amount to about 1,200*l.*

I have, &c.

(Signed) A. CUNYNGHAME, *Lieutenant-General,*
Commanding, Cape Colony.

His Excellency the Governor,
Griqualand West.

Inclosure 9 in No. 16.

(A.)

Memorandum.

Transport will be required for the following:—

	Lbs.
Camp equipage	12,000
42 days supply biscuit and flour	18,000
42 „ groceries	3,000
10 „ salt pork	3,500
30 „ rations of rum	2,640
Armstrong gun ammunition, 200 rounds per gun	2,500
Rifle ammunition, 400 rounds a rifle	16,000
Mens' kits, &c.	10,000
Officers' baggage	17,472
Hospital stores, medical comforts, and ambulance	12,000
Total	97,112

Each waggon is estimated to carry from 6,000 to 7,000 pounds:—

	Waggons.
97,112 lbs. to	15
In addition—	
Forage	1
Wood	1
Water	1
Extra	2
Total waggons	20

	£
At 5 <i>l.</i> , 100 <i>l.</i> per day for transport, 50 days	5,000
Returning	5,000
7 waggons with the force during detention, 84 days at 5 <i>l.</i>	2,870
	<hr/> 12,870

I have here estimated at 5*l.* per wagon per day.

The Controller informs me that, from inquiries he has made, he does not anticipate getting this transport under 6*l.* per day, and possibly may have to pay 8*l.* Should such be the case it will naturally be a question whether it will not be more advisable to purchase than to hire.

(B.)

ESTIMATE.

	£
30 artillery horses, at 50 <i>l.</i> each	1,500
40 horses for mounted infantry, at 40 <i>l.</i> each	1,600
40 sets of saddlery, at 10 <i>l.</i> each	400
Field allowance for officers for 6 months, about	1,000
Forage for 70 horses for 6 months	2,000
Extra cost of rations for 6 months for 380 men, at 1 <i>s.</i> per day	6,300
Estimated expenses of transport, as per detail	13,000
	<hr/> 25,800

This, I consider, is quite the lowest estimate at which the expense for this movable column can be placed at.

(Signed) A. CUNYNGEHAME, *Lieutenant-General*.

Inclosure 10 in No. 16.

Sir,

Government House, April 23, 1875.

I HAVE received your reply dated 21st instant to my letter of the 19th instant, in which I asked for further information as to the estimates of the expense of sending troops to Griqualand West, and note that your Excellency considers that the assistance of a small body of mounted police maintained in the Province would not suffice for the objects in view, and that unless there were a certainty that a troop of the Cape frontier police would meet the column sent from hence on the way up, it would be imprudent not to form a small mounted force from the infantry before starting. I am not in a position at present, for reasons already alluded to, to give an assurance to the above effect, and I must defer to your Excellency's judgment as to the adoption of this latter alternative.

I observe also, with regard to transport, that the further inquiries which had been instituted by your orders tend to show that the cost under this as well as under other heads will be considerably heavier, instead of, as I had hoped, much lighter than at first estimated, insomuch that your Excellency is now inclined to believe that the entire outlay connected with the movement will certainly not be less than 25,800*l.* From what I have myself heard on the subject, I nevertheless still indulge the hope that, when tenders are actually called for, responsible parties will be found ready to contract at very much lower rates than the officers of the Commissariat Department anticipate. The question is one, however, which actual experience alone can decide, and I would merely request your Excellency to give directions that the arrangements shall be conducted with the utmost practicable regard to economy.

There being still some slight prospect of the armed league at Kimberley being voluntarily disbanded, I feel it my duty to defer, for two or three days longer, positive instructions for the despatch of the column.

I have, &c.

(Signed) HENRY BARKLY,

Governor of Griqualand West.

His Excellency Lieutenant-General Sir A. Cunyngeham, K.C.B.,
Commanding the Forces, South Africa.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 21.)

My Lord,

Government House, Cape Town, April 23, 1875.

WITH reference to my despatch of the 25th ultimo,* forwarding abstracts of the estimated revenue and expenditure of Griqua-Land West for the present year, I have now the honour to transmit copy of a further communication, with inclosures, from the Lieutenant-Governor, submitting the detailed estimates themselves, with the report of the Auditor thereupon.

2. Time had not admitted of the receipt by Mr. Southey of a copy of your Lordship's despatch of the 10th ultimo,† in which attention was called to his neglect to comply with instructions in regard to furnishing financial statements and accounts, but it will be seen that Mr. Southey has, in anticipation, explained the difficulties which exist in the case of Griqua-Land West in complying strictly with the regulations laid down for the guidance of Governors of Crown Colonies in these respects.

3. As the Lieutenant-Governor alludes to the inexpediency of his laying these estimates before the Legislative Council until your Lordship's decision can be received as to certain reductions consequent on his proposal to abolish the office of Treasurer-General, it becomes necessary for me to inclose, for your Lordship's information, copies of the correspondence which has passed between myself and Mr. Southey on this subject.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 17.

Sir,

Lieutenant-Governor's Office, Kimberley, April 15, 1875.

I HAVE the honour to transmit, for your Excellency's information, and for transmission to the Right Honourable the Secretary of State, in obedience to his Lordship's instructions, the Estimates of anticipated revenue for the current year, and of the expenditure which I consider to be indispensable after making the alterations and reductions proposed in my despatch of the 20th March last.

2. These Estimates have been prepared as nearly in accordance with the expressed desire of the Secretary of State as our circumstances admitted of, and the Auditor has given such explanations upon the various items and heads of service as will, I trust, afford all the information that the Right Honourable the Secretary of State has required to be supplied when the Estimates are forwarded to his Lordship.

3. A covering letter from the Secretary to the Government and Auditor explains why the Estimates could not be forwarded to your Excellency in the form in which they are now prepared at an earlier date, viz., the necessity for a strict revision and re-arrangement, with a view to the curtailment of expenditure, after I learnt that Her Majesty had been pleased to disallow the Ordinance No. 15 of last Session, under the provisions of which this Government had been authorized to raise a loan of 25,000*l*.

4. These Estimates are framed in accordance with the recommendations which I have made to your Excellency in my despatch before alluded to; but as I find by your despatch of the 3rd instant, that you are not prepared, without reference to the Secretary of State, to sanction one of the most important of the changes, and the one upon which many of the other proposed alterations depend for their accomplishment, it appears to me to be essential that I should not submit these Estimates to the Legislative Council, or introduce an appropriation Ordinance, until Lord Carnarvon's decision upon my proposals has been obtained; for, in the event of his Lordship not approving of the alterations and reductions proposed by me, it will be necessary to re-arrange the Estimates, and to abandon the hope of being able to effect such considerable reductions of expenditure on establishments as I contemplated.

5. I have already stated that, as all public moneys are paid into a bank, and all payments made by cheque, we do not, in my opinion, require so expensive an

* Not printed.

† No. 7.

establishment as that of the Treasurer, for the purpose of merely keeping and rendering accounts; and I see no reason for altering or modifying that opinion. I have felt bound, when called upon by the Right Honourable the Secretary of State to effect reductions of expenditure, to submit such arrangements for the attainment of that object as in our circumstances would have the smallest prejudicial effect upon public interests.

6. It was my intention to have entered at greater length in this despatch upon a discussion of our financial condition and prospects, and also to have pointed out the impracticability of acting strictly up to the requirements of the Secretary of State respecting the preparation of the Estimates of Revenue and Expenditure, and the transmission of them to England; but as the Acting Attorney-General has mislaid some of your Excellency's despatches covering those of the Secretary of State on the subject, which I had placed in his hands for the purpose of guiding him in the preparation of Ordinances, I will now remark that Estimates prepared for this Province in the middle of a year for the year following would, in my opinion, be of very little value. The circumstances of this Province are most exceptional; we depend for revenue upon sources which are ever fluctuating, and the exigencies of the public service might render considerable expenditure necessary at any moment, which could not have been foreseen several months before.

7. Then, again, I ought to request your Excellency's attention, and also that of the Right Honourable the Secretary of State, and I do so most respectfully, to the fact that our Legislative Council is composed of four official Members, I myself being one, and four unofficial Members elected by the people, and that the latter, as well as their constituents, are very sensitive upon the subject of revenue and expenditure; and that, therefore, it strikes me to be very essential that the Estimates should be prepared as close upon the time for the Council's meeting in each year as possible, so that the Government may be in a position to submit them to the Council in a form intelligible to the unofficial Members, and in accord with our actual circumstances at the moment.

8. I assume, of course, that the Secretary of State expects the Province to pay its own expenses, and not to be in any way dependent upon the Imperial Treasury, and on that account I venture to suggest that the people, through their Representatives, the unofficial Members of Council, should be allowed to feel that they hold a substantial position in matters of finance.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 17.

Sir,

Secretary to Government's Office, Kimberley, April 9, 1875.

I HAVE the honour to submit herewith the Estimates of Revenue and Expenditure of this Province for the year 1875.

2. In explanation of the delay which has occurred in their preparation, I beg to state, that on receiving your Excellency's instructions to frame them, in November last, in terms of the Secretary of State's despatch of the 9th of September, 1874, I at once addressed requests to the heads of departments for the necessary particulars which had been received and tabulated, when your Excellency's further instructions, in February, to revise every item, with a view to the greatest possible retrenchment, made it necessary to recommence the work altogether, and the consideration of the proposed retrenchments has necessarily made the work extend over a much longer period than would have been required if the departmental estimates could have been accepted with only slight modifications.

3. In framing the Estimates, I have endeavoured to observe, as far as possible, the system followed at Mauritius, but the wide difference between the circumstances of the two Colonies has prevented a closer imitation of it.

4. I regret that in the Abstract of Estimates of Revenue and Expenditure, furnished, in obedience to your Excellency's instructions, before the detailed statements were completed, a clerical error has made the expenditure under the head of Postmaster-General 2,088/., instead of 1,988/., thus causing a discrepancy of 100/., between the two statements.

5. To avoid the delay of printing, which, as your Excellency is aware, would here be very great, I transmit the Estimates in manuscript.

I have, &c.

(Signed) JOHN B. CURREY,
Secretary to Government and Auditor.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor of Griqua-Land West.

Inclosure 3 in No. 17.

Estimates of Revenue and Expenditure, 1875.

Revenue, 76,220*l.*—Expenditure, 67,395*l.*

	Actual, in 1873.	Actual, in 1874.	Estimated, in 1875.
	£	£	£
Revenue	66,974*	59,753*	76,220
Expenditure	71,153	75,786†	67,295

The revenue of 1874 exceeded that now estimated for 1875 in the following items:—

	£
Stamped licenses	630
Transfer of claims	1,057
Registration of natives	675
Judicial fines	431
Judicial fees	423
Fees on Post Office money-orders	18
Market dues	356
Miscellaneous receipts	214
Total	3,799

And was less than that now estimated for 1875 in the following items:—

	£
Land revenue	4,612
Transfer dues	774
Auction dues	155
Miners' certificates	953
Registration of claims	1,706
Other fees on claims	18
Blank stamps	2,065
Postage	345
Hospital fees	2,906
Fees of office	40
Produce of pounds	270
Sales of claims	220
Sums refunded	102
Bank-note duty	5,000
Bank cheques	1,000
Total	20,166

The actual expenditure for 1874 was less than that estimated for 1875 in the following items:—

	£
Hospitals	1,384
Special services	55
Miscellaneous services	259
Revenue services	108
Interest	1,672
Education	196
Total	3,674

The actual expenditure in 1874 exceeded that now estimated for 1875 in the following items:—

* Both exclusive of bank-note duty and other items, still in account with the Cape Government.

† Exclusive of expenditure on surveys and public works.

	£
Establishments	7,718*
Police	820
Convict constables	2,700†
Gaols and convicts	—
Conveyance of mails	350
Administration of Justice	54
Rent	68
Office contingencies	597
Transport	792
Aborigines	1,035
Parliamentary	733‡
Payments to owners of farms containing public diamond fields	2,482
Sums refunded	116
Total	17,465

The following statement shows the estimated revenue of 1875 compared with that of 1874, and also the actual receipts for 1873:—

	Estimate for		Receipts in
	1874.	1875.	1873.
	£	£	£
Land revenue	1,500	5,000	548
Transfer dues	1,000	1,000	122
Auction dues	3,000	2,500	3,237
Stamped licenses	20,000	16,000	17,016
Miners' certificates	2,000	2,000	
Registration fees claims	15,000	15,000	
Transfer of claims	500	1,200	14,710
Other fees on claims	300	300	
Blank stamps	16,000	10,000	12,025
Postage	6,000	5,000	5,015
Registration of natives (hospitals)	2,500	3,000	
" " (contracts)	2,500	2,000	3,345
Judicial fines	3,000	2,500	3,792
" fees	750	750	764
Fees of office	300	100	227
Fees on Post Office money-orders	100	120	87
Produce of pounds	1,500	1,000	1,495
Market dues	2,000	1,500	3,382
Sales of claims	1,000	500	674
Miscellaneous receipts	1,000	500	173
Sums refunded	250	250	387
Bank-note duty	2,000	5,000	
Bankers' cheques	800	1,000	
Sale of unserviceable stores			6
Tolls and ferries			19
Total	83,000	76,220	66,974

Land Revenue.

The estimated amount to be derived from land revenue during 1875 has been taken at 5,000*l.*, more by 3,500*l.* than that estimated for 1874, and an increase of 4,452*l.* compared with the amount received in 1873.

The sums received from 1872 to 1874 are shown below :—

								£	s.	d.
1872	..	..	..	..	..	..	..	408	1	10
1873	..	..	..	..	..	..	..	548	3	10
1874	..	..	..	..	..	..	..	388	0	0

During the above years, the only land-rents received were from the occupied farms in the district of Hay. On the 19th December, 1874, a sale of leases in the Barkly Division took place, when 34 leases were disposed of for a total annual rental of 1,627*l*. Another sale of leases in the same Division will be held in June next, and it is hoped that many titles will be issued during the course of the year to farms claimed, some of which are actually occupied, on which quit-rents will then be received.

* This amount includes gaols and convicts; and also arrears of advances made in 1873, and brought to account in 1874.

† This item is included in gaols and convents in 1874.

† This item is included under office contingencies. As the Minutes are not printed, and there is no Parliamentary establishment, it will be kept as low as possible.

§ In account with Cape Government.

Transfer Dues.

The estimated amount to be derived from transfer-dues during 1875 has been taken at 1,000*l.*, the same amount as that estimated for 1874, and more by 878*l.* than the amount received in 1873.

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	316	19	11
1873	122	6	10
1874	226	0	0

The only transfer-dues hitherto received are those for building-lots in the township of Barkly, which are the only lands in this Province as yet held by British title.

In view of the approaching solution of the land question, and the numbers of transfers which will take place as soon as titles to farms are issued (transfer duty being 4 per cent. on the purchase money), the sum of 1,000*l.* has been estimated for the present year. In the Orange Free State, the sum of 22,000*l.* sterling is said to have been derived from this source, at the same rate of duty, during the first three quarters of 1874.

Auction Dues.

The estimated amount to be derived from auction dues in 1875 has been taken at 2,500*l.*, less by 500*l.* than that estimated for 1874, and a decrease of 737*l.* compared with the amount received in 1873.

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	2,275	0	11
1873	3,237	4	7
1874	2,345	0	0

The smaller amount is estimated on account of auction sales being now almost entirely confined to moveable property. Mining claims, which formerly were sold by auction, now almost invariably change hands through "claim agents."

Stamped Licenses.

The estimated amount to be derived from stamped licenses in 1875 has been taken at 16,000*l.*, less by 4,000*l.* than that estimated for 1874, and less by 1,016*l.* than the actual amount received in 1873.

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	16,754	6	4
1873	17,015	10	0
1874	16,630	0	0

The revenue under this head is largely derived from public-house licenses, here called "Canteen Licenses," and as the population shows signs of diminishing rather than increasing, it is not safe to estimate a larger amount, although the rates were increased in the Session of 1874, which increase now comes into operation.

Miners' Certificates.

The estimated amount to be derived from miners' certificates in 1875 has been taken at 2,000*l.*, the same estimate as that for 1874. As this item was only introduced in 1874 by Ordinance No. 10 of the Legislative Council, no comparison can be made with the receipts of previous years.

The amount received for 1874 is shown below :—

	£	s.	d.
1874	1,047	0	0

The above amount was only the payment for six months.

Registration Fees on Claims.

The estimated amount to be derived from registration fees on claims in 1875 has been taken at 15,000*l.*, the same as that estimated for 1874, and more by 290*l.* than the actual amount received in 1873.

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	17,400	2	9
1873	14,710	5	9
1874	13,294	0	0

It is hoped that, during the present year, many claims, which are either covered by water or *débris* at present, and, consequently, not registered, will be cleared by steam machinery, the supply of which is daily increasing, and will again be worked.

Transfer Dues on Claims.

The estimated amount to be derived from transfer dues on claims in 1875 has been taken at 1,200*l.*, more by 700*l.* than that estimated for 1874. As this item was only introduced in 1874 by Ordinance No. 10 of the Legislative Council, no comparison can be made with the receipts of previous years.

The amount received for 1874 is shown below :—

	£
1874	2,257

The above amount was only the payment for six months.

The comparatively small amount of 1,200*l.* is estimated for 1875, as it is thought that the receipts in 1874 were exceptional.

Other Fees on Claims

The estimated amount to be derived from other fees on claims in 1875 has been taken at 300*l.*, the same as that estimated for 1874. As the items under this head were, with one exception, only introduced in 1874 by Ordinance No. 10 of the Legislative Council, no comparison can be made with the receipts of previous years.

The amount received for 1874 is shown below :—

	£
1874	282

The above amount was only the payments for six months.

The items included under this head of service are fees for hypothecation of claims, fees for reservation of claims, fees for *débris* sorting, and fees for prospecting.

The principal amount received was for hypothecation, and it is probable that, as most persons are in a position which obliges them to hypothecate their claims have already done so, there will not be any large amount of hypothecation in 1875.

Blank Stamps.

The estimated amount to be derived from blank stamps in 1875 has been taken at 10,000*l.*, less than the estimate for 1874 by 6,000*l.*, and less than the actual receipts in 1873 by 2,025*l.*

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	2,308	14	5
1873	12,025	0	8
1874	7,935	0	0

In the year 1872, the difference between blank stamps and stamped licenses was not strictly observed. In the year 1873, the revenue under this head was largely increased by the imposition of a tax of 2*s.* 6*d.* upon each gun introduced into, and 10*s.* upon each gun sold in, this Province. In the year 1874, it was diminished, on account of the large stocks of guns on hand and a decrease in the number of natives coming down from the interior.

Postage.

The estimated amount to be derived from postage in 1875 has been taken at 5,000*l.*, being 1,000*l.* less than that estimated for 1874, and 15*l.* less than the amount actually received in 1873.

The sums received from 1872 to 1874 are shown below :—

	£	s.	d.
1872	5,108	6	5
1873	5,015	4	2
1874	4,655	0	0

Registration of Natives.—Hospital Tax.

The estimated amount to be derived from registration of natives, hospital tax, in 1875, has been taken at 3,000*l.*, being 500*l.* more than the amount estimated for 1874. As this item was only introduced in 1874, by Ordinance No. 2 of the Legislative Council, no comparison can be made with the receipts of previous years.

The amount received in 1874 is shown below:—

	£
1874	94

The above rate only came into operation during the last month of 1874.

Registration of Natives.—Contract Fees.

The estimated amount to be derived from registration of natives, contract fees, in 1875, has been taken at 2,000*l.*, being 500*l.* less than the amount estimated for 1874, and 1,345*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	1,281	17	0
1873	3,345	0	0
1874	2,675	0	0

In view of the decrease in the numbers of natives arriving, it has been thought advisable to reduce the estimate for 1875 under this head.

Judicial Fines.

The estimated amount to be derived from judicial fines in 1875 has been taken at 2,500*l.*, being 500*l.* less than the amount estimated for 1874, and 1,292*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	1,767	16	8
1873	3,791	4	11
1874	2,931	0	0

Judicial Fees.

The estimated amount to be derived from judicial fees in 1875 has been taken at 750*l.*, being the same amount as that estimated for 1874, and 14*l.* less than the actual receipts in 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	927	1	5
1873	763	4	7
1874	1,173	0	0

Fees of Office.

The estimated amount to be derived from fees of office in 1875 has been taken at 100*l.*, being 200*l.* less than the amount estimated for 1874, and 127*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	100	0	0
1873	226	15	9
1874	60	0	0

Fees on Post Office Money Orders.

The estimated amount to be derived from fees on post-office money-orders in 1875 has been taken at 120*l.*, being 20*l.* more than the amount estimated for 1874, and 33*l.* more than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	23	9	1
1873	86	18	8
1874	133	0	0

Produce of Pounds.

The estimated amount to be derived from produce of pounds in 1875 has been taken at 1,000*l.*, being 500*l.* less than the amount estimated for 1874, and 495*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	2,415	4	7
1873	1,495	3	11
1874	730	0	0

The falling off in the receipts under this head is attributable either to the farm being unoccupied, or occupied without titles.

Market Dues.

The estimated amount to be derived from market dues in 1875 has been taken at 1,500*l.*, being 500*l.* less than the amount estimated for 1874, and 1,882*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	4,457	0	0
1873	3,382	7	11
1874	1,856	0	0

The reduction of the estimate under this head is caused by the reduction of market dues from 5 per cent. to 2½ per cent., and the falling off of the population of Du Toit's Pan, where a market has ceased to exist.

Sales of Claims.

The estimated amount to be derived from sales of claims in 1875 has been taken at 500*l.*, being 500*l.* less than the amount estimated for 1874, and 174*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	Nil		
1873	673	19	8
1874	180	0	0

The principal sales of forfeited claims are in Du Toit's Pan, where the value of ground has much depreciated, but it is hoped that this year there may be some improvement.

Miscellaneous Receipts.

The estimated amount to be derived from miscellaneous receipts in 1875 has been taken at 500*l.*, being 500*l.* less than the estimate of last year, and 327*l.* more than the actual receipts for 1873.

The sums received from 1872 to 1874 are shown below:—

	£	s.	d.
1872	199	9	9
1873	173	2	0
1874	714	0	0

The amount of this item must necessarily be uncertain, as it consists chiefly of the produce of sales of unclaimed or forfeited diamonds and other moveable property.

Sums Refunded.

The estimated amount to be derived from sums refunded in 1875 has been taken at 250*l.*, being the same amount as that estimated for 1874, and 87*l.* less than the actual receipts for 1873.

The sums received from 1872 to 1874 are shewn below:—

	£	s.	d.
1872	253	8	11
1873	337	3	10
1874	148	0	0

Bank Note Duty.

The estimated amount to be derived from bank note duty in 1875 has been taken at 5,000*l.*, being 3,000*l.* more than the estimate for 1874. The actual receipts

for 1873 cannot be stated, as the item is still in account with the Cape Government.

The duty on bank notes circulated in this province is paid by the head offices of the banks to the Cape Government. The amount of duty received by the Cape Government in 1873 was 15,036*l*. I am not aware of the amount collected in 1874, but the present estimate is based on the assumption that this Government is entitled to one-third of the whole duty received.

Bank Cheques.

The estimated amount to be derived from bank cheques in 1875 has been taken at 1,000*l*., being 200*l*. more than the estimate for 1874. Bankers' returns under this item have not been furnished by the Cape Government at present, but the amount received is held by the Cape Government in account with this Government.

EXPENDITURE.

The actual expenditure from 1872 to 1874 has been as follows:—

								£	s.	d.
1872	..	..	..	..	..	..	..	48,614	7	7
1873	..	..	..	..	..	..	..	71,153	9	11
1874	..	..	..	..	..	..	..	75,786	0	0

The amount for 1874 includes certain arrears of 1873 brought to account in 1874.

The expenditure of the province for 1875 has been estimated at 67,395*l*.

The following statement shows, under separate heads, the estimates for 1874 and 1875, and the actual expenditure in 1873.

	Estimate for		Expenditure in 1873.
	1874.	1875.	
	£	£	£
Establishments	29,747	27,252	25,854
Police	14,000	10,823	14,704
Convict Constables* ..	..	2,700	..
Convicts	8,500	6,570	4,749
Hospitals	4,000	4,500	1,779
Conveyance of mails ..	4,000	4,000	553
Administration of Justice ..	2,000	1,500	1,702
Rent	1,000	1,200	1,139
Office contingencies ..	2,500	2,000	2,517
Transport	1,000	750	1,882
Education, grants in aid of ..	1,000	500	..
Aborigines	1,000	1,000	141
Surveys .. ..	..	..	1,705
Special services	1,500	200	220
Miscellaneous services ..	1,000	1,100	1,091
Revenue services	200	200	92
Parliamentary†	300	..	131
Refund of advances	5,000	..	..
Payment to owners of farms containing public diamond fields	2,000	..	..
Interest .. ..	..	2,500	..
Sums refunded‡ .. ..	..	500	7,694
Roads, works, and buildings ..	..	..	5,200
Total	78,747	67,295	71,153

Establishments.

From the above statement it will be seen that the establishments have been estimated at 27,252*l*., being a decrease of 2,495*l*. as compared with the Estimates of 1874, and an increase of 1,398 when compared with the actual expenditure of 1873. The mining establishment, however, which is very expensive, was only estimated for

* "Convict Constables" in the Estimate for 1874, and the Expenditure for 1873, were included in "Gaols and Convicts."

† "Parliamentary," in the Estimate for 1875, is included in "Office Contingencies."

‡ "Sums refunded," includes, in the Expenditure for 1873, "Payments to owners of farms containing public diamond fields."

the latter half of 1874. Had that establishment figured for the whole of 1874, he saving proposed to be effected in 1875 would be more apparent, a sum of 2,518*l.*, having been struck off the Departmental estimate of that establishment for the present year.

The following statement shows the estimates for each Department as contrasted with the estimates for 1874, and the total expenditure for establishments in 1873 —

Departments.	Estimate for 1874.	Estimate for 1875.	Expenditure in 1873.
	£	£	£
His Excellency the Governor	100	100	..
His Excellency the Lieutenant-Governor	3,770	3,500	..
Secretary to Government	2,747	2,630	..
Auditor	610	250	..
Treasurer and Civil Commissioner of Kimberley	2,210	1,853	..
Postmaster-General	2,549	1,988	..
Surveyor-General	845	1,070	..
Civil Commissioner Barkly	1,292	1,160	..
Civil Commissioner Hay	840	710	..
Foreman of Public Works	200	200	..
High Court	2,931	2,998	..
Attorney-General	1,336	1,511	..
Sheriff	400	400	..
Resident Magistrate, Kimberley	1,486	1,590	..
" Du Toit's Pan	839	407	..
Medical	1,286	968	..
Aborigines	944	777	..
Diggings and mines	4,305	4,151	..
Education	125	125	..
Gaols	930	864	..
Police	14,000	10,823	..
Convict Constables .. ..	..	2,700	..
Total	43,745	40,775	45,306*

The Governor.

The allowance for the clerk to the Governor has been estimated at 100*l.*, the same as in 1874. His Excellency receives no salary as Governor of Griqua-Land West.

The Lieutenant-Governor.

The estimate for the Lieutenant-Governor's establishment is 3,500*l.*, being 270*l.* less than that for 1874; no Private Secretary or Messenger being estimated for.

The Secretary to Government's Office.

The estimate provides for 2,630*l.*, or 117*l.* less than that for 1874, caused by a reduction in the number of clerks.

The Auditor.

The estimate for this office is 250*l.*, or 360*l.* less than that for 1874, caused by not estimating for a chief clerk, the chief clerk in the Secretary's office receiving an allowance of 50*l.* for superintending the audit branch.

The Treasurer and Civil Commissioner of Kimberley.

This estimate provides for 1,853*l.*, or 357*l.* less than that for 1874. This reduction is based on the proposal to do away with the offices of Treasurer and Chief Clerk at the end of the first half of the year, and substituting a Civil Commissioner at lower salary.

The Postmaster-General.

The estimate for this Department is 1,988*l.*, being, 475*l.* less than that for 1874, the decrease being caused by reduction in the post offices at Barkly and Du Toit's Pan.

The Surveyor-General.

The estimate for this office is 1,070*l.*, or 225*l.* more than that for 1874; this is caused by a probable increase of work on account of the granting of land titles.

* No detailed statement for each Department was compiled in 1873.

The Civil Commissioner, Barkly.

The Estimate for this Department is 1,160*l.*, or 132*l.* less than that for 1874, a decrease contingent on the proposed change in the Treasury, which would admit of a Civil Commissioner at lower pay being appointed to Barkly for half the year.

The Civil Commissioner, Hay.

The Estimate for this Department is 710*l.*, being 130*l.* less than that for 1874, caused by a proposed reduction of clerical assistance for half the year.

The Foreman of Public Works.

The salary of this officer remains the same as in 1874, viz., 200*l.*

The High Court.

The Estimate for this Department is 2,998*l.*, or 67*l.* more than that for 1874. There will be a probable increase of work in the office of the Registrar of Deeds.

The Attorney-General.

The Estimate for the Attorney-General's office is 1,511*l.*, or 175*l.* more than that for 1874; this is caused by an addition to the salary of the Clerk of the Peace, and the necessity of occasional clerical assistance.

Sheriff.

This gentleman's salary remains the same as 1874; namely, 400*l.*

The Resident Magistrate, Kimberley.

The Estimate for this Department is 1,590*l.*, or 804*l.* more than that for 1874. Increased provisional assistance is required, the work being very heavy, over 6,000 cases having come before the Resident Magistrate last year, in addition to his other duties. One of the temporary clerks has also been placed upon the fixed establishment, with a small increase of salary.

Additional Resident Magistrate, Du Toit's Pan.

The Estimate for this Department is 407*l.*, or 432*l.* less than that for 1874. This Estimate is only for six months, as it is proposed to do away with the additional Magistracy on the 1st July.

Medical.

The Estimate for this Department is 968*l.*, or 318*l.* less than that for 1874; This decrease is caused by the proposed reduction of the staff at Du Toit's Pan on the 1st July.

Aborigines.

The Estimate for this Department is 777*l.*, or 167*l.* less than that for 1874. This decrease is caused by the proposed reductions at Du Toit's Pan on the 1st of July.

Diggings and Mines.

The Estimate for this Department is 4,151*l.*, or 861*l.* more than that for 1874. This apparent increase is caused by the fact that the Estimate for 1874, on an increased scale, was only for six months.

Education.

The salary of the Head Master of the Barkly High School remains the same as for 1874, namely, 125*l.*, which is the only expenditure under this head.

Gaols.

The Estimate for the gaol establishment is 864*l.*, or 156*l.* less than that of 1874. This decrease is caused by the proposed reductions at Du Toit's Pan on the 1st of July.

Police.

The Estimate for this Department is 13,523*l.*, or 477*l.* less than that of 1874. A much larger real reduction has been effected, as this Estimate includes 2,700*l.* for convict constables, which were estimated for under "Gaols and Convicts" in 1874.

Police.

The expenditure under this head from the year 1872 to 1874 was as follows:—

	£
1872	5,183
1873	14,703
1874	11,643

The Departmental Estimates for the year 1875 were as follows;—

GRIQUA-LAND CONSTABULARY.

Grade.	Pay.	Allowances.	Total.	Rate per Day.
	£ s. d.	£ s. d.	£ s. d.	s. d.
1 Inspector	365 0 0	109 10 0	474 10 0	26 0
2 Sub-Inspectors	401 10 0	219 0 0	620 10 0	17 0
4 First class Sergeants	511 0 0	219 0 0	730 0 0	10 0
4 Second class ditto	474 10 0	219 0 0	693 10 0	9 6
8 Corporals	839 10 0	438 0 0	1,277 10 0	8 9
33 First class Privates	3,312 7 6	903 7 6	4,215 15 0	7 0
17 Second class ditto	1,551 5 0	465 7 6	2,016 12 6	6 6
16 Third class ditto	1,314 0 0	438 0 0	1,752 0 0	6 0
Total	8,769 2 6	3,011 5 0	11,780 7 6	

GRIQUA-LAND MOUNTED POLICE.

Grade.	Number of Days.	Rate per Diem.	Rate per Annum, each.	Amount.	Total.
		s. d.	£ s. d.	£ s. d.	£ s. d.
1 Inspector	365	..	250 0 0	250 0 0	..
Allowances	"	5 0	..	91 5 0	341 5 0
2 Sergeants	"	10 0	..	365 0 0	365 0 0
5 Constables, First class	"	7 6	..	684 7 6	..
5 ditto, Second class	"	7 0	..	638 15 0	..
4 ditto, Third class	"	6 6	..	474 10 0	1,797 12 6
Total					2,503 17 6

And it was found impossible to make any reduction in the first three months. The approved Estimate for the first three months was consequently as follows:—

	Salaries.	Provisional and Temporary.	Allowances.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Constabulary, 3 months—				
1 Inspector	91 5 0	..	17 7 6	108 12 6
2 Sub-Inspectors	100 7 6	..	54 15 0	155 2 6
4 First class Sergeants	127 15 0	..	54 15 0	182 10 0
4 Second class ditto	118 12 6	..	54 15 0	173 7 6
8 Corporals	209 17 6	..	109 10 0	319 7 6
33 First class Privates	828 1 10	..	225 16 0	1,053 18 8
17 Second class ditto	387 16 3	..	116 6 10	504 3 1
16 Third class ditto	328 10 0	..	109 10 0	438 0 0
Total	2,192 5 7	..	742 16 2	2,935 1 9
Mounted Police, 3 months—				
1 Inspector	62 10 0	..	21 16 3	84 6 3
2 Sergeants	91 5 0	..	..	91 5 0
5 First class Privates	171 1 10	..	..	171 1 10
5 Second class ditto	159 13 9	..	..	159 13 9
4 Third class ditto	118 12 6	..	..	118 12 6
Total	603 3 1	..	21 16 3	624 19 4

The approved Estimate for 1875 will show a very considerable reduction, it is hoped, without interfering with the efficiency of the force, and is as follows:—

	Salaries.	Provisional and Temporary.	Allowances.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
<i>Constabulary.</i>				
Kimberley, 9 months—				
1 Superintendent	225 0 0	..	37 10 0	262 10 0
5 Sergeants	479 1 3	..	205 6 3	684 7 6
15 Constables, First class ..	1,129 4 4	..	307 19 4	1,437 3 8
15 „ Second class	1,026 11 3	..	307 19 4	1,334 10 7
15 „ Third class	923 18 1	..	307 19 4	1,231 17 5
Du Toit's Pan, 3 months—				
1 Sergeant	31 18 9	..	13 13 9	45 12 6
3 Constables, First class ..	75 10 7	..	20 10 7	96 1 2
3 „ Second class	68 8 9	..	20 10 7	88 19 4
3 „ Third class	61 11 10	..	20 10 7	82 2 5
6 months—				
2 Constables, First class ..	100 7 6	..	27 7 6	127 15 0
2 „ Second class	91 5 0	..	27 7 6	118 12 6
Barkly, 9 months—				
1 Sergeant	93 8 3	..	41 1 3	134 9 6
3 Constables, First class ..	225 16 10	..	61 11 10	287 8 8
3 „ Second class	205 11 10	..	61 11 10	266 18 1
3 „ Third class	164 5 0	..	61 11 10	219 0 0
Total	4,526 8 8	..	1,495 4 1	6,021 12 9
<i>Mounted Police, 9 months—</i>				
1 Inspector	187 10 0	..	68 8 9	255 18 9
1 Sergeant	161 17 6	..	..	161 17 6
7 Constables	823 11 10	..	..	823 11 10
Total	1,172 19 4	..	68 8 9	1,241 8 1

Under the old system the constabulary had to supply themselves with uniforms, but the difficulty of obtaining recruits was, and is so great, that it is feared an efficient police force can hardly be maintained unless the men are supplied with uniforms at the cost of the Government.

As regards the mounted police, they are supplied with horses, and have hitherto been furnished with uniforms, arms, equipments, and forage; but it is under consideration whether, in view of the large pay and allowances they now receive, they should not be placed on the same footing as the Frontier Armed Mounted Police of the Cape Colony, and supply these articles themselves, under the system of stoppages. Should this, however, be found impracticable, a supplementary estimate will be submitted for these items, as well as for ordinary police uniforms.

Note.—To admit of comparison between the estimate of 1875 and the expenditure of previous years, the police have not been taken as part of the establishment. Such, however, will not be the case in future.

The following statement will show the total amount of increments provided in the Estimates of 1875, under the respective establishments:—

Establishments.	Total Amount of Increments.
	£
Surveyor-General	225
High Court	67
Attorney-General	175
Resident Magistrate, Kimberley ..	104
Diggings and Mines	861
Total	1,432

SERVICES EXCLUSIVE OF ESTABLISHMENTS.

Convicts.

The estimate under this head is 6,570*l.* It will not bear comparison with the estimate of 1874 as the estimate for that year comprised several other items which figure under different heads in 1875.

Hospitals.

The estimate under this head is 4,500*l.*, being 500*l.* more than that for 1874. The increase is caused by increased accommodation, and the institution of a native infirmary.

Conveyance of Mails.

The estimate under this head is 4,000*l.*, the same as that of 1874.

Administration of Justice.

The estimate under this head is 1,500*l.*, or 500*l.* less than that of 1874. A more strict check will be kept on the expenditure under this head.

Rent.

The estimate under this head is 1,200*l.*, or 200*l.* more than that of 1874. Increased accommodation in certain Government offices is much needed.

Office Contingencies.

The estimate under this head is 2,000*l.*, or 500*l.* less than that for the year 1874. The strictest economy will be observed in this item.

Transport.

The estimate under this head is 750*l.*, or 250*l.* less than that estimated for 1874.

Education, Grants in aid of.

The estimate under this head is 500*l.*, or 500*l.* less than that for 1874.

Aborigines.

The estimate under this head is 1000*l.*, the same as that for 1874.

Special Services.

The estimate under this head is 200*l.*, or 1,300*l.* less than that for 1874. Provision was made in 1874 for the possible expenses of the Arbitration Commission on the boundary line of the Orange Free State.

No provision is made this year, the matter being in abeyance.

Miscellaneous Services.

The estimate under this head is 1,100*l.*, or 100*l.* more than that for 1874.

Revenue Services.

The estimate under this head is 200*l.*, the same as that in 1874.

Refund of Advances.

The estimate under this head is nil, or 5,000*l.* less than that for 1874. This was to provide for advances made by the Cape Government, but no advances were made in 1874.

A large sum is owing from the Cape Government to this Government on account of duty on bank notes and stamps, on bankers' cheques, which it is hoped will balance the claims of the Cape Government for advances made in 1871, 1872, and 1873.

Sums Refunded.

The estimate under this head is 500*l.*, being 500*l.* more than that in 1874.

Interest.

The estimate under this head is 2,500*l.*, being 2,500*l.* more than that for 1874.

Assets and Liabilities.

On the 31st December, 1874, the assets of this Province were as follows:—

Division of Barkly—								£	s.	d.
In chest	..	..	..	..	..	..	..	229	4	0
In bank	..	..	..	..	..	..	..	898	13	8
Total	..	..	..	..	..	..	..	1,127	17	8
Division of Hay—										
In chest	..	..	..	..	..	..	..	291	9	2
Debentures issued on security of Crown Lands..	..	..	..	..	..	..	..	25,000	0	0
Balance in hands of Crown Agents	..	..	..	..	..	..	..	319	13	6
Total Assets	..	..	..	..	..	..	..	26,739	0	4

On the 31st December, 1874, the liabilities of this Province were as follows:—

								£	s.	d.
Overdraft of account at Standard Bank of British South Africa (Limited)	..	..	..	..	..	..	..	15,929	13	7
Loan from Cape of Good Hope Bank..	..	..	..	..	..	..	..	5,000	0	0
Total Liabilities	..	..	..	..	..	..	..	20,929	13	7

Provincial Estimates, Griqua-Land West.

No. 1.—ESTABLISHMENTS DETAILED.

	Fixed Establish- ments.	Provisional and Temporary.	Allowances.	Total.
<i>Civil.</i>	£ s. d.	£ s. d.	£ s. d.	£ s. d.
His Excellency the Governor				
Clerk .. .. .	..	..	100 0 0	100 0 0
His Excellency the Lieutenant-Governor ..	2,500 0 0	..	1,000 0 0	3,500 0 0
Secretary to Government and Auditor's Department—				
Secretary to Government	650 0 0	..	350 0 0	
Chief Clerk	300 0 0	..	150 0 0	
1 Clerk attached to the Lieutenant-Governor's Office and Clerk of the Councils	250 0 0	..	50 0 0	
1 Correspondence Clerk	200 0 0	..	50 0 0	
1 Despatch Clerk	200 0 0	..	..
1 Entering Clerk	160 0 0	..	50 0 0	
1 Audit Clerk	200 0 0	..	50 0 0	
Clerical assistance, &c. .. .. .	..	100 0 0	..	
Messenger	120 0 0	..	..
	2,080 0 0	100 0 0	700 0 0	2,880 0 0
Treasury and Civil Commissioner's Department—				
For first six months—				
Treasurer and Civil Commissioner	325 0 0	..	175 0 0	500 0 0
Chief Clerk	150 0 0	..	50 0 0	200 0 0
1 Clerk	100 0 0	..	25 0 0	125 0 0
1 Clerk .. .. .	..	91 5 0	..	91 5 0
Distributor of Stamps	125 0 0	..	12 10 0	137 10 0
Messenger	48 0 0	..	12 0 0	60 0 0
	748 0 0	91 5 0	274 10 0	1,113 15 0
Second six months—				
Civil Commissioner	250 0 0	..	75 0 0	325 0 0
1 Clerk	100 0 0	..	25 0 0	125 0 0
1 Clerk .. .. .	..	91 5 0	..	91 5 0
Distributor of Stamps	125 0 0	12 10 0	..	137 10 0
Messenger	48 0 0	..	12 0 0	60 0 0
	523 0 0	91 5 0	124 10 0	738 15 0
	1,271 0 0	182 10 0	399 0 0	1,852 10 0

	Fixed Establish- ments.	Provisional and Temporary.	Allowances.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Surveyor-General's Department—				
Surveyor-General	600 0 0	..	100 0 0	700 0 0
1 Clerk	200 0 0	..	50 0 0	250 0 0
Copying Clerk	120 0 0	..	..	120 0 0
	920 0 0	..	150 0 0	1,070 0 0
Postmaster-General's Department—				
Postmaster, Kimberley	300 0 0	..	50 0 0	
Chief Clerk	200 0 0	..	50 0 0	
1 Clerk .. .. .	..	182 10 0	..	
1 Clerk .. .. .	..	163 0 0	..	
1 Clerk .. .. .	..	163 0 0	..	
1 Clerk .. .. .	..	163 0 0	..	
Messenger .. .. .	..	60 0 0	..	
Postmaster, Barkly (3 months)	50 0 0	..	..
Ditto (9 months)	75 0 0	..	..
Clerk to ditto (9 months) .. .. .	..	22 10 0	..	
Postmaster, Du Toit's Pan	250 0 0	..	..
1 Clerk (3 months)	37 10 0	..	12 10 0	
1 Clerk (9 months), 5s. a-day .. .. .	..	68 8 9	..	
Postmaster, Douglas	10 0 0	..	..
„ Belmont	10 0 0	..	..
„ Hebron	10 0 0	..	..
Allowances for stationery, at Kimberley .. .. .	..	..	50 0 0	
„ „ Barkly .. .. .	..	..	24 0 0	
„ „ Du Toit's Pan .. .. .	..	..	36 0 0	
	942 10 0	822 8 9	222 10 0	1,987 8 9
Civil Commissioner's Department, Barkly—				
Civil Commissioner and Resident Magistrate—				
6 months	250 0 0	..	50 0 0	
6 months	200 0 0	..	50 0 0	
1 Clerk	250 0 0	..	50 0 0	
1 Clerk	120 0 0	..	..
Messenger	100 0 0	..	40 0 0	
Ditto, allowance for issuing claim certificates (6 months) .. .. .	..	50 0 0	..	
	920 0 0	50 0 0	190 0 0	1,160 0 0
Civil Commissioner's Department, Hay—				
Civil Commissioner and Resident Magistrate	500 0 0	..	..
1 Clerk (6 months)	125 0 0	..	..
Messenger	90 0 0	..	..
	710 0 0	..	..	710 0 0
Foreman of Public Works	150 0 0	..	50 0 0	200 0 0
Total Civil Establishments.				
His Excellency the Governor .. .. .	..	..	100 0 0	100 0 0
His Excellency the Lieutenant-Governor	2,500 0 0	..	1,000 0 0	3,500 0 0
Secretary to Government's Department	2,080 0 0	100 0 0	700 0 0	2,880 0 0
Treasury and Civil Commissioner's Department	1,271 0 0	182 10 0	399 0 0	1,852 10 0
Surveyor-General's Department	920 0 0	..	150 0 0	1,070 0 0
Postmaster-General's Department	942 10 0	822 8 9	222 10 0	1,987 8 9
Civil Commissioner's Department, Barkly	920 0 0	50 0 0	190 0 0	1,160 0 0
Civil Commissioner's Department, Hay	710 0 0	..	..	710 0 0
Foreman of Public Works	150 0 0	..	50 0 0	200 0 0
Total	9,493 10 0	1,154 18 9	2,811 10 0	13,549 18 9
Judicial.				
High Court—				
Recorder of High Court	1,200 0 0	..	500 0 0	
1 Clerk and Registrar of Circuit	200 0 0	..	50 0 0	
Master and Registrar	500 0 0	..	100 0 0	
1 Clerk	250 0 0	..	50 0 0	
Messenger and Crier	100 0 0	..	48 0 0	
	2,250 0 0	..	748 0 0	2,998 0 0

	Fixed Establishments.			Provisional and Temporary.			Allowances.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Sheriff's Department—												
Sheriff	400	0	0	..	..	..	..	..	..	400	0	0
Attorney-General's Department—												
Attorney-General	600	0	0	..	..	..	365	0	0	..	..	..
1 Clerk and Clerk of the Peace	300	0	0	..	..	..	50	0	0	..	..	..
Clerical assistance to .. .. .	..	..	..	100	0	0	..	..	..	..	..	..
Messenger	96	0	0	..	..	..	..	..	..	..	..	..
	996	0	0	100	0	0	415	0	0	1,511	0	0
Resident Magistrate's Department, Kimberley—												
Resident Magistrate	500	0	0	..	..	..	100	0	0	600	0	0
1 Clerk	200	0	0	..	..	..	75	0	0	275	0	0
1 Clerk	160	0	0	..	..	..	50	0	0	210	0	0
1 Clerk .. .. .	..	..	..	182	10	0	..	..	..	182	10	0
1 Clerk .. .. .	..	..	..	182	10	0	..	..	..	182	10	0
Interpreter	100	0	0	..	..	..	..	..	..	100	0	0
Messenger, horse allowance .. .. .	..	..	..	..	..	..	40	0	0	40	0	0
	960	0	0	365	0	0	265	0	0	1,590	0	0
Additional Resident Magistrate's Department, Du Toit's Pan (6 months)—												
Additional Resident Magistrate	150	0	0	..	..	..	50	0	0	200	0	0
1 Clerk	75	0	0	..	..	..	20	0	0	95	0	0
Messenger	50	0	0	..	..	..	20	0	0	70	0	0
Interpreter	42	0	0	..	..	..	..	..	..	42	0	0
	317	0	0	..	..	..	90	0	0	407	0	0
Total Judicial Establishments	4,923	0	0	465	0	0	1,518	0	0	6,906	0	0
<i>Medical.</i>												
Medical Department, Kimberley—												
Medical Inspector	400	0	0	..	..	..	50	0	0	450	0	0
Sanitary Inspector	150	0	0	..	..	..	..	..	..	150	0	0
Grave-digger	48	0	0	..	..	..	..	..	..	48	0	0
	598	0	0	..	..	..	50	0	0	648	0	0
Medical Department, Barkly—												
District Surgeon	200	0	0	..	..	..	..	..	..	200	0	0
Medical Department, Du Toit's Pan—												
Sanitary Inspector (6 months)	75	0	0	..	..	..	..	..	..	75	0	0
Hospital Orderly (6 months)	45	0	0	..	..	..	..	..	..	45	0	0
	120	0	0	..	..	..	..	..	..	120	0	0
Total Medical Establishment	918	0	0	..	..	..	50	0	0	968	0	0
<i>Aborigines.</i>												
Registry of Natives, Kimberley—												
Registrar	250	0	0	..	..	..	100	0	0	350	0	0
1 Clerk	150	0	0	..	..	..	50	0	0	200	0	0
Interpreter	60	0	0	..	..	..	..	..	..	60	0	0
	460	0	0	..	..	..	150	0	0	610	0	0
Registry of Natives, Du Toit's Pan—												
Registrar (6 months)	125	0	0	..	..	..	..	..	..	125	0	0
Interpreter (6 months)	42	0	0	..	..	..	..	..	..	42	0	0
	167	0	0	..	..	..	..	..	..	167	0	0
Total of Aborigines Establishments	627	0	0	..	..	..	150	0	0	777	0	0

	Fixed Establishments.			Provisional and Temporary.			Allowances.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Mines and Diggings.</i>												
Engineer	600	0	0	150	0	0	250	0	0	1,000	0	0
Registrar, Kimberley	400	0	0	..	..	..	..	..	..	400	0	0
1 Clerk	150	0	0	..	..	..	50	0	0	200	0	0
1 Clerk .. .. .	..	..	..	182	10	0	..	..	..	182	10	0
Registrar, Du Toit's Pan (6 months)	200	0	0	..	..	..	..	..	..	200	0	0
1 Clerk	200	0	0	..	..	..	50	0	0	250	0	0
Mining Surveyor, Kimberley	400	0	0	..	..	..	75	0	0	475	0	0
„ Du Toit's Pan	400	0	0	..	..	..	..	..	..	400	0	0
„ De Beers	300	0	0	..	..	..	..	..	..	300	0	0
Clerical assistance .. .. .	..	..	..	100	0	0	..	..	..	100	0	0
14 Mining Constables (3 months at 10 <i>l.</i>) .. .. .	..	..	..	420	0	0	..	..	..	420	0	0
Inspector of Claims, Barkly (6 months)	175	0	0	..	..	..	50	0	0	225	0	0
Total of Diggings and Mines Establishments	2,825	0	0	852	10	0	475	0	0	4,152	10	0
<i>Educational.</i>												
Barkly High School—												
1 Master	125	0	0	..	..	..	..	..	..	125	0	0
<i>Gaols.</i>												
Gaoler at Kimberley	150	0	0	..	..	..	..	..	..	150	0	0
Assistant ditto	120	0	0	..	..	..	..	..	..	120	0	0
Matron	36	0	0	..	..	..	..	..	..	36	0	0
2 Turnkeys, at 10 <i>l.</i> a-month .. .. .	..	..	..	240	0	0	..	..	..	240	0	0
	306	0	0	240	0	0	..	..	..	546	0	0
Gaoler at Barkly	120	0	0	..	..	..	..	..	..	120	0	0
Matron	30	0	0	..	..	..	..	..	..	30	0	0
	150	0	0	..	..	..	..	..	..	150	0	0
Gaoler at Du Toit's Pan (6 months)	60	0	0	..	..	..	..	..	..	60	0	0
Matron (6 months)	18	0	0	..	..	..	..	..	..	18	0	0
	78	0	0	..	..	..	..	..	..	78	0	0
Gaoler at Douglas	75	0	0	..	..	..	15	0	0	90	0	0
Total of Gaol Establishment	609	0	0	240	0	0	15	0	0	864	0	0

No. 2.—ESTABLISHMENTS RECAPITULATED:

Establishments.	Fixed Establishments.			Provisional and Temporary.			Allowances.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
His Excellency the Governor .. .. .	..	..	..	..	..	..	100	0	0	100	0	0
His Excellency the Lieutenant-Governor	2,500	0	0	..	..	..	1,000	0	0	3,500	0	0
Secretary to Government and Auditor's Department	2,080	0	0	100	0	0	700	0	0	2,880	0	0
Treasury and Civil Commissioner's Department, Kimberley	1,271	0	0	182	10	0	399	0	0	1,852	10	0
Surveyor-General's Department	920	0	0	..	..	..	150	0	0	1,070	0	0
Postmaster-General's Department	942	10	0	822	8	9	222	10	0	1,987	8	9
Civil Commissioner's Department, Barkly	920	0	0	50	0	0	190	0	0	1,160	0	0
Civil Commissioner's Department, Hay	710	0	0	..	..	..	..	..	..	710	0	0
Foreman of Public Works	150	0	0	..	..	..	50	0	0	200	0	0
Judicial	4,923	0	0	465	0	0	1,518	0	0	6,906	0	0
Medical	918	0	0	..	..	..	50	0	0	968	0	0
Aborigines	627	0	0	..	..	..	150	0	0	777	0	0
Mines and Diggings	2,825	0	0	852	10	0	475	0	0	4,152	10	0
Educational	125	0	0	..	..	..	..	..	..	125	0	0
Gaols	609	0	0	240	0	0	15	0	0	864	0	0
Total	19,520	10	0	2,712	8	9	5,019	10	0	27,252	8	9

Surveys.

The estimated cost of surveys already commenced, and to be paid for, in 1875 is 8,500*l.*, and that of surveys still to be commenced, is 5,000*l.*; total estimate for 1875, 13,500*l.*

The surveys already commenced are—

	£
In the Division of Barkly	3,500
In the Division of Hay	5,000
	<hr/> 8,500

It is proposed to raise a sum of 20,000*l.* to meet the cost of surveys; this amount, after deducting 6,547*l.*, the actual expenditure in 1873 and 1874, will leave a balance of 13,453*l.* to meet the estimate for 1875.

The expenditure for surveys in 1873 was 1,704*l.*, including 1,200*l.* advanced for surveys of farms in the division of Barkly, begun in 1873 and continued in 1874, and to be continued in 1875.

The expenditure for surveys in 1874 was 4,843*l.*

	£
92 farms in the Division of Barkly	3,163
Building and garden lots in the Township of Douglas, Division of Hay	393
Survey of Eastern boundary line	150
Survey and levelling of proposed water-course for irrigation	195
Surveys of mining areas	394
Geological survey	548
	<hr/> 4,843

Public Works and Buildings.

The amount already expended, and to be provided for, is—

	£
1873	5,200
1874	7,346
	<hr/> 12,546
It is proposed to raise only a sum of 15,000 <i>l.</i> , so that the sum available for 1875 will only be	2,454
	<hr/> 15,000

This amount, after deducting the payments to be made for items not brought to account in 1874, will not leave any balance for public works in 1875.

The construction, in a rude manner, of such works and buildings as were from time to time found to be positively necessary, has been conducted under the superintendence of a foreman of works, who, having no clerical assistance or office administration, reports that he has been unable to furnish detailed accounts of the cost of each work.

A better system is now in operation, by which all materials are obtained from a contractor, and the foreman of works furnishes monthly accounts of the expenditure on each work, both for materials and labour.

In 1873 the amount expended was 5,200*l.* 8*s.* 5*d.*

It represented the following works, viz. :—

Construction.

1. Lieutenant-Governor's office, iron lined with brick.
2. Council room, ditto.
3. Post-office, ditto.
4. Stamp-office, ditto.
5. Public latrines.
6. Sinking well in prison yard.
7. Public gardens, 500*l.* (Purchase of well and gardener's house, 335*l.*; enclosing and planting, 165*l.*; total 500*l.*).
8. Pound at Kimberley.

Extensions and Alterations.

1. Secretary to Government's office, lining wooden building with brick, supplying wooden floors and ceilings, adding clerk's room—iron, lined with brick, office shelves, and presses.

2. Treasury—adding office-keeper's quarters.
 3. Resident Magistrate's court—adding 18 feet to iron building, and lining the whole with brick.
 4. Kimberley Gaol—adding two new wards, iron, enclosing prison yard with iron palisades, and supplying gaoler's quarters.
- In 1874 the amount expended was 7,346*l.* 12*s.* 8*d.*

Construction.

1. Treasurer's office, iron lined with brick.
2. Attorney-General's office, ditto.
3. Clerk of the Peace's office, ditto.
4. Hospital, ditto.*
5. Police barrack, brick.
6. Workshops, iron.
7. Sinking well at Government offices.
8. Government House, laying foundations.

Extensions and Alterations.

1. Kimberley Gaol, new women's quarters, debtor's ward, and cells.
2. Public latrines.
3. Post-office, fittings.
4. Public gardens.

(Signed) JOHN H. CURREY, *Auditor.*

Kimberley, April 9, 1875.

Inclosure 4 in No. 17.

Sir,

Lieutenant-Governor's Office, Kimberley, March 20, 1875.

IN my despatch of the 13th instant, I transmitted statements showing the anticipated amount of revenue to be received during the current year, and the proposed expenditure to be incurred for the same period, and added that I would, in a subsequent letter, give you more detailed particulars of the alterations and reductions in departments which I propose to make, with a view to reduce our expenditure to the level of anticipated income. This I now proceed to do.

2. In my own office I have already for some months past dispensed with the services of a messenger, and I do not estimate for a Private Secretary, by which there is a reduction to the extent of 270*l.*

3. In the joint offices of Secretary to Government and Auditor, it is proposed to reduce the number of clerks by two, and to slightly increase the salaries of the remainder. The Chief Clerk in the Secretary's office, on condition of his undertaking the duties of Chief Clerk to the Auditor as well, will receive an increase of 50*l.* per annum to his allowance (not to fixed salary), and other changes will be made which, in the aggregate, will effect a reduction of expenditure in these two departments of 477*l.* per annum.

4. The next principal departmental reduction I propose to make in the Treasury. This department is a very expensive one, and at the same time not by any means an essential department of this Government. The Treasurer, in addition to the duties which devolve upon him as such, is nominally also Postmaster-General and Civil Commissioner, but the duties of all these offices are such as can be performed by a less expensive officer and a reduced staff. No money is kept either in the Treasury or Civil Commissioner's offices, all being banked daily, and all payments are made by cheques on the bank.

5. At present this Department consists of a Treasurer, whose salary and allowance amounts to 1,000*l.* a-year, and three clerks, whose salaries in the aggregate amount to 815*l.*

I am of opinion that all the duties of this Department can be as well performed by an officer to be designated Civil Commissioner and Provincial Accountant, at a salary and allowance of 650*l.*, and that the services of at least one of the clerks can be dispensed with. By these changes in this Department, I anticipate a reduction of expenditure for the half year, from 30th June to 31st December, of 357*l.*

* This building (the Hospital), when nearly ready for occupation, was destroyed by fire in September 1874; it has now been rebuilt on a smaller scale and is in full working order, and contains accommodation for upwards of twenty patients.

6. This, however, is not the only reduction to be caused by the change, as upon it depend several others, for instance the office of Treasurer being abolished, I propose that the present Civil Commissioner of Barkly should become Civil Commissioner and Provincial Accountant here, and that in addition to the duties of those offices he should be Superintendent or Chief of Police, and in that capacity dispose of many police cases which at present have to be undertaken by the Resident Magistrate, whose other duties are onerous and heavy. I would also make the Civil Commissioner and Provincial Accountant a member of the Executive Council, to fill up the vacancy in that body caused by the abolition of the office of Treasurer. The duties of Postmaster-General, which are not heavy, would be undertaken by the Secretary to Government. The present Treasurer will have to be placed on a pension temporarily, but the amount chargeable against this Province will be but small.

7. These changes effected, will open the way to considerable reductions being made in the Division of Barkly, where I should then amalgamate the offices of Civil Commissioner and Inspector of Claims, by which a saving would be made for the last half of this year of 357*l*.

8. In the district of Hay, I consider that the services of a clerk to the Civil Commissioner may be dispensed with, and that a less expensive officer as Civil Commissioner and Magistrate may perform all the duties which at present devolve upon a Civil Commissioner and a clerk. For the last half of this year I calculate on reducing expenditure there by 125*l*., and next year by a larger proportionate sum.

9. The duties of Chief of Police being undertaken, as before mentioned, by the Civil Commissioner of Kimberley, and the diminished population of Du Toit's Pan, caused partly by many of the former residents at that place having removed to this camp, would open the way for the abolition of the office of Assistant Magistrate there, and its attendant establishment of clerk, messenger, &c., which measure would effect a saving for the half-year ending 31st December next of 407*l*.

10. The District Surgeon at Du Toit's Pan resigned his appointment shortly before the end of last year, and I did not appoint a successor; and I propose to abolish the office of Sanitary Inspector and Hospital Orderly at the same place (the duties of Sanitary Inspector having to be performed by another officer). This will effect a reduction of 318*l*., and a further reduction of 167*l*. will be caused by amalgamating the office of Registrar of Natives with that of Mining Surveyor.

11. Under the head of "Diggings and Mines," I propose, by dispensing with the services of mining constables, clerks to surveyors, and with those of the Inspector of Claims at Du Toit's Pan, to effect a reduction on the year's expenditure of 1,500*l*. The services of these officers can be dispensed with, but not without inconvenience, and possibly some loss of revenue.

12. I have already explained in my despatch of the 19th ultimo, how by a reorganization of the police establishment, so as to dispense with the services of certain high-salaried officers, I shall be enabled not only to effect a reduction of expenditure to the extent of about 6,000*l*. a year, but also to increase the number of men available for ordinary police duties.

13. If your Excellency approves of these reductions and re-arrangements, I will carry them into effect without delay, and endeavour to have them all accomplished by the end of June. I estimate that the gross saving will be between 11,000*l*. and 12,000*l*. a year.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor*.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 5 in No. 17.

Sir,

Government House, Cape Town, April 3, 1875.

I HAVE the honour to acknowledge your despatches of the 13th and 20th ultimo, the first transmitting statements of the estimated Revenue and Expenditure during the current year, the second submitting for my approval more detailed particulars as to the alterations and reductions proposed under the latter head.

2. I was glad to find that your Excellency anticipates such an increase upon the actual receipts of 1874 as would leave, after providing for this reduced expenditure, a surplus of 8,825*l*.

3. I perceive, however, that a sum of 5,000*l.*, derivable from land sales, is carried to account of General Revenue, whereas it ought, as it strikes me, to be appropriated to the sinking fund of the loans which you propose to raise for surveys and public works.

4. With regard to the savings contemplated, I should be loth to interpose the slightest obstacle to the immediate realization of your plans, but I am bound to state that that to be effected by the substitution of a Civil Commissioner and Provincial Accountant for the Treasurer-General, scarcely seems sufficient to warrant a change of so much importance, both in its financial and political bearings, without the permission of the Secretary of State; whilst the placing of the present Treasurer on pension involves several difficult questions.

5. Your Excellency remarks, indeed, that the amount of such pension chargeable against Griqua-Land West would be but small, yet it must be borne in mind that, even if the Cape Parliament had agreed at the time to adopt the arrangements proposed in Earl Granville's Circular of the 11th September, 1869, it could not reasonably be called on to contribute towards the cost of either abolishing an office, or pensioning off an officer in the prime of life merely to suit the convenience of another Colony. However well disposed, moreover, this Government might be to re-employ Mr. Giddy, no suitable opportunity of doing so might present itself for a considerable period, and his pension therefore might prove by no means temporary.

6. I shall be glad to have a fuller explanation of your Excellency's views on these points, and restricting my acquiescence meanwhile to the remainder of the alterations suggested.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 6 in No. 17.

Sir,

Government House, Cape Town, April 22, 1875.

IN acknowledging the receipt of your Excellency's letter of the 15th instant, submitting, for transmission to the Right Honourable the Secretary of State, Estimates of the Revenue and Expenditure of Griqua-Land West for the current year, framed in accordance with the proposals contained in your previous communication of the 20th ultimo, I regret to find that, in view of the objections raised in my despatch of the 3rd instant to the abolition of so important an office as the treasurership, involving, as it would, several difficult issues, without reference to the Secretary of State, it should now appear to your Excellency to be essential that you should refrain from submitting these estimates to the Legislative Council or from introducing an appropriation Ordinance, until his Lordship's decision upon the proposal can be obtained, as, in the event of the alterations and reductions not being approved, it will be necessary to re-arrange the Estimates and to abandon the hope of effecting such considerable savings as you had contemplated.

2. The opinion thus expressed by your Excellency places the matter in so serious a light, that I feel it incumbent upon me to request that you will be good enough to favour me, at your earliest convenience, with a statement of the exact amount of the saving which your Excellency contemplated effecting by the abolition of this particular office, forming, as it appears to do, so important an item in the whole calculation.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received May 21.)

My Lord,

Government House, Cape Town, April 24, 1875.

IN continuation of my despatch of yesterday,* respecting the disturbances at Kimberley, I have the honour to transmit further Report from the Lieutenant-Governor, received this forenoon, and of the reply addressed to him by return of post, of which I trust your Lordship will approve.

2. The latter is marked Private and Confidential, as it alludes to differences of opinion which it may be inexpedient to allow to transpire in Griqualand West at the present juncture.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 18.

Sir,

Lieutenant-Governor's Office, Kimberley, April 17, 1875.

I HAVE the honour to report that, since the date of my last despatch of the 15th instant, on the subject of the insurrectionary movements here, no overt act has been committed by the rebels, and no armed men have appeared in public.

2. Your Excellency will observe, however, in the reports of the meeting held in the Kimberley Hall, on the 15th instant, that Tucker wished to dictate the terms on which hostilities were to be suspended, and that Ling rejected the idea of disarming under any circumstances.

3. I am not apprehensive of any further outbreak occurring under the present leaders, but I cannot help feeling very apprehensive of what may occur when the present leaders attempt to retreat of their own accord from the position they now occupy, or are driven from it by the action of their more violent followers. The most dangerous elements in the rebel force are the disaffected Natal colonists, the Germans, the numerous bad characters who have naturally joined the movement, and the old soldiers who have drilled and organized them. These men are all reckless, and many of them desperate, and when it is remembered that within six miles of us is a State where they would find certain shelter, it must, I think, be admitted that there is much reason to fear a violent outbreak before Her Majesty's troops can arrive to overawe them.

4. Guided by the advice of some ex-military officers here, Captains Carr, Yonge, and Ramsay Stuart, I have made, by means of convict labour, such dispositions by means of sand-bag defences as will enable me to hold the public offices, council room, magistrates' court, with the gaol, police barracks, and magazine, against any force which might attack those points; but in the event of movements being made simultaneously against any of those points and against any bank or merchant's store, I should, I fear, at present be unable to render any assistance to the latter.

5. I am endeavouring to support the constabulary by engaging as special constables at 10s. a day, all the old soldiers that can be procured, and the enrolling of volunteers is progressing. We have now 200 men sworn in on whom dependence can be placed, and in a day or two I hope to have three or four companies formed under military officers.

6. The native population, to the number of about 700, has responded most loyally to my call, and their spokesmen, old non-commissioned officers of the late regiment of Cape Mounted Riflemen, have begged that they may be commanded by Major Boyes, late of that corps, and now in the Civil Service here, under whom they served in the Kafir War of 1850-51.

7. In the event of my finding it absolutely necessary to do so, I shall form these men into a reserve under Major Boyes, but I should be very loth to do anything which might increase the strong feeling against the coloured races which already exists here, and threatens to be a source of danger.

8. I propose placing the chief command in the hands of Captain John Carr, late Her Majesty's second 10th Regiment, and now in the service of this Government, whom I shall also appoint Governor of the Gaol.

9. It is impossible for me at present to do more than remain on the defensive. The houses of Tucker, Ling, and the other leaders are guarded especially at night, arms and ammunition are stored in houses in different parts of the town, our slightest movements are watched, and I have no doubt that any attempt to make arrests would result in

serious street fighting in which we should certainly be outnumbered by three or four to one.

10. Your Excellency may rely on my continuing to make every effort to preserve the public peace, and maintain the honour of Her Majesty's Government in the very difficult circumstances in which I am placed, and in the full confidence that your Excellency will soon be enabled to give me the necessary support.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 18.

(Private and Confidential.)

Sir,

Cape Town, April 24, 1875.

I HAVE the honour to acknowledge the receipt this morning of your despatch of 17th April, reporting the measures of precaution you were engaged in taking for the preservation of the public peace, and pointing out that, although no overt act had been committed by the malcontents since the release of Cowie on bail, and you entertained no apprehension of any further outbreak occurring under the present leaders, you could not help feeling apprehensive of what might happen when those leaders attempted to withdraw themselves, in consequence of the action of their more violent followers.

2. I approve of the steps your Excellency had taken to enrol volunteers, and am glad to observe that you were proceeding with extreme caution in the case of the native population, none of whom certainly ought to be armed from among the Bechuanas, Mahuras, &c., working in the mine, only civilized and respectable men of colour being enlisted.

3. The situation of affairs when you wrote was apparently most critical and alarming, and I learn, with regret, from your telegram in cypher of the 20th instant, which reached me yesterday afternoon, that little had happened during the subsequent three days to bring about an improvement.

4. I fear it is but too plain that the heavy expense of sending up a column of Her Majesty's troops will have to be incurred, before the Executive Government can be rendered strong enough to arrest and prosecute the leaders of the movement, and grant a general amnesty to their deluded followers.

5. With reference, however, to the concluding part of the telegram, in which it is stated that "any hesitation or avoidable delay in moving troops is calculated to discourage the loyal, &c.," I feel bound to remind your Excellency that, up to the present moment, no application for military protection has reached me either from the Legislative Council of Griqualand West, which is now in Session, or from the proprietors of the farm, or from any of the merchants, bankers, or traders of Kimberley, or even from your own Executive Council. The only official allusion to the subject which has reached me since your telegram of the 22nd ultimo, suggesting that troops would not be required, being that contained in your private and confidential despatch of 27th ultimo, in which, after communicating the dissent of the Acting Attorney-General and the Treasurer from the proposals you had brought forward, you wound up by expressing a hope that I would consider it useful and proper that a sufficient force should be stationed on the Fields.

I have, &c.

(Signed) HENRY BARKLY,

Governor of Griqualand West.

His Excellency Lieutenant-Governor Southey, C.M.G.,
&c. &c. &c.

No. 19.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, May 27, 1875.

I HAVE received with much regret your despatch of the 23rd of April,* and your further despatch of the 24th of April,† with their inclosures, relating to the disturbances which had occurred at the Diamond Fields.

It is impossible for me to give you any instructions in the present stage of the proceedings, and with my information still so imperfect, almost equally impossible to express a definite opinion on Mr. Southey's course of action.

Under the circumstances, I must await the result of your interview with the deputation from the diggers, which you stated was on its way to confer with you respecting the means of arranging these unfortunate difficulties.

I have, &c.
(Signed) CARNARVON.

No. 20.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 5.)

My Lord,

Government House, Cape Town, 4th May, 1875.

I HAVE the honour to transmit, for your Lordship's information, copy of letter addressed to me by Messrs. Henry Tucker and William Ling, styling themselves respectively Chairman and Treasurer of the Diggers' Association, in reply to the formal acknowledgment which I instructed the Lieutenant-Governor of Griqualand West to make of a previous letter, inclosing a so-called "Proclamation," which they had issued.*

2. Mr. Southey, in his covering despatch to myself, of which I append copy, so effectually exposes the mis-statements and inconsistencies of the writers, and shows so clearly the hollowness of the pretexts on which they now attempt to justify the armed opposition which they have stirred up to the execution of the law, that I could not help regretting that his remarks had not been made publicly on the spot, and deemed it the best plan, as your Lordship will perceive from the copy of the despatch which I addressed to him in return, to request him to communicate the substance of his remarks in my name to Messrs. Tucker and Ling, with an intimation of my earnest hope that they would pause in the violent and unconstitutional course they were pursuing, and thus avert the punishment which must otherwise necessarily be inflicted on all concerned, as well as save the ruinous expense which the sending of troops would entail on the Province.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 20.

Sir, Kimberley, April 9, 1875.

I HAVE the honour to acknowledge receipt of a letter handed to me this day, in which the Honourable J. B. Currey states that he is directed "to notify that however ready his Excellency might be to entertain any complaints which the 'Diggers' Association' desired to lay before him, it would be inconsistent with the duty of Her Majesty's Representative to take notice of documents counterfeiting the form of Proclamations, such as can only be lawfully issued in virtue of the Royal Prerogative."

In regard to the document referred to, I desire to acquaint your Excellency that the word "Proclamation," and the Royal arms placed at the head of it, was an unauthorized act of the printer, and was not seen by me in time to rectify it. Of this I can at any time produce ample proof. The object in issuing this document was to rebut the groundless statement put forth in a Proclamation by the Lieutenant-Governor, impugning the loyalty of certain of Her Majesty's subjects in this territory, and intended to reflect on "the Diggers' Association."

Encouraged by the readiness implied by your Excellency "to entertain any complaints which the Diggers' Association" desired to lay before you, I am authorized, in conjunction with Mr. Ling, on behalf of that body, to communicate with your Excellency.

We desire respectfully to state, in the first place, that we were under the impression that your Excellency was not unaware of the serious dissatisfaction existing in the Fields with the acts of the local Government.

In the latter part of last year a Memorial was forwarded to Her Most Gracious

* Vide Inclosure 5 in No. 10.

Majesty the Queen, signed by upwards of 2,000 persons, conveying the fact of the universal feeling of discontent prevailing, which Memorial we understood passed through your Excellency's office, and up to the present time no relief has been given for any of the grievances complained of.

We beg briefly to summarize, for the information of your Excellency, the principal grievances then complained of:—

1. The general unsuitability of the Constitution, the provision for a permanent majority of the Executive in the Legislative Council, and the unequally-apportioned representation of the people.

2. The use made by the Executive of the power thus vested in them by imposing heavy burdens of taxation, and passing measures of a despotic and arbitrary character, interfering with free trade and the rights of property.

3. The failure of the Executive to satisfy the public request for details of expenditure and revenue from the time of the establishment of British authority.

4. That the adjudication of cases in the Law Courts should be made less costly, and be placed beyond the appearance of undue interference on the part of the Executive.

5. The absence of judicious mining regulations and measures for the protection of diggers against robbery of diamonds and illicit dealing therein:

6. The uselessness of all appeals to the Local Government for redress, whether through the Diggers' Committee, resolution of public meeting, petition, or deputations, both in regard to the Mining Ordinance and other matters.

7. That with a diminishing population crime and taxation increase abnormally, and the expenditure being vastly disproportionate to the resources of the province or the number of its inhabitants.

8. The prayer of the petition for the removal of the present Executive from office, and the establishment of a less expensive and more suitable form of Government.

We respectfully inform your Excellency that since this memorial was forwarded no inclination has been evinced by the Lieutenant-Governor and his Executive to satisfy, in any way, the complaints of the petitioners, but on the contrary further and heavy exactions and burdens have been imposed on the people.

1st. The passing of Ordinance No. 2, by which masters are compelled upon registration of servants to pay the hospital fee of one shilling per month for the whole period of contract in advance; with the power to stop such amount out of the wages of the servants, owing to the fact that no assistance is rendered by the Government in the recovery of servants who may abscond before the contract of service expires, this becomes in reality a tax upon the master in addition to the registration fee of one shilling, it being of frequent occurrence that servants decamp in a day or two after contracting for a period of one to six months. We believe that diggers would not object to register their servants if the assistance of the police could be obtained to compel servants to abide by the contract of service, but under no circumstances, we believe, will diggers cheerfully pay the hospital fees for servants in advance.

2nd. A Government notice has been promulgated, by which masters are enjoined, not only to provide for their servants during sickness but to pay their wages as if they were in health and at work. This we submit to your Excellency if enforced would have a bad effect on the men there would be little probability of regularity at work.

3. The Mining Surveyor, on a recent occasion, accompanied by armed and mounted men, proceeded to molest the servants of diggers while engaged at their work, under the plea of inquiring regarding registration. Several servants were hunted by these men, and some were sent to gaol. In one case, it is stated, that a pistol was pointed into the door of a tent, and the servant was ordered to come out, or he would be shot. This kind of proceeding has engendered determination to resist any repetition of proceedings of a like character.

4. While such apparent excess of zeal is shown in the molestation of men engaged at their lawful work, orders have been issued to the police not in any case to interfere with natives on the ground of their not having passes. Thus the idle and dissolute hordes of natives in and around the camp are undisturbed by the police.

5. In consequence of the latitude thus allowed, large numbers of men remain without honest employment, violent assaults are of frequent occurrence, committed by natives armed with kerries, and temptations are held out to the servants of diggers to purloin and pass away diamonds the property of their masters.

6. The relative position of diggers and other residents on farms declared to be public diamond diggings and the proprietors, has become one of perplexity and

dissatisfaction, and the question bids fair to occasion serious complications, unless amicably determined without delay.

7. The provisions of Ordinance No. 21 are felt to be oppressive, both as to increase of diamond buyers' and brokers' licences, and also as to vexatious interference with the legitimate purchase of diamonds at the residence of diggers, or otherwise than in offices.

8. The disabilities inflicted on canteen keepers by Ordinance No. 18 are believed to be prejudicial to the interest of respectable and well-conducted houses, both as to the heavy amount of licence, the excessive amount of recognizance, and the prohibition against other business being carried on on the premises.

9. It is thought that the issue of all licences connected with the finding of or trade in diamonds should be by, or upon the certificate of, an elected Licensing Board, as incalculable injury has been done by the indiscriminate issue of licences, whether for digging, debris sorting, or dealing in diamonds.

10. Inclosed herewith we beg to hand to your Excellency copy of a letter addressed to the Lieutenant-Governor, which, we regret to state, resulted only in a lengthy correspondence, and up to this moment no conference has been obtained with his Excellency.

11. There is a general impression that the removal of the Honourable J. B. Currey the Secretary to Government could conduce to the more harmonious working of the Government people. Up to the present moment it is thought that if the Local Government had in view the bringing about a collision between the Government and the people, they could not have taken more likely steps to ensure such a result than the course they have pursued, especially during the last week or two. We beg to assure your Excellency, however, that we will do all in our power to disappoint such intentions.

12. In conclusion we beg to assure your Excellency that in our opinion if measures of a tyrannical and vexatious character imposed by the Government are to be stayed and peace is to be maintained, we fear it can only be effected by the presence of your Excellency, as soon as it can possibly be afforded.

(Signed)

HENRY TUCKER, *Chairman,*

WILLIAM LING, *Treasurer,*

Diggers' Association.

To his Excellency Sir H. Barkly, G.C.M.G., K.C.B.,

Governor of Griqualand West,

&c. &c. &c.

Sir,

Kimberley, March 24, 1875.

Having been informed that his Excellency is not unwilling to receive a deputation to discuss matters of grave and general importance:

I have the honour to request that you will acquaint his Excellency that the following gentlemen desire an interview with him, viz.: Messrs W. Ling, G. R. Blanch, J. G. Ross, H. Tucker, and R. Jamieson, upon the following subjects, viz.:

1. Adjudication of police cases.
2. Penalties for illicit diamond buying.
3. Necessity for a vagrant act.
4. Camp regulations for security and order.
5. Alterations in the issue of certain licenses.
6. Amendment of Ordinance No. 21.
7. Amendment of Ordinance No. 18.
8. Amendment in regard to registration of servants and fees payable thereon.
9. Relative position of proprietors and inhabitants of the several camps.
10. Obnoxious position of certain officers of Government and public functionaries.
11. Difficulties threatening out of native and other claims to land.

You will oblige by informing me if his Excellency will receive the deputation now named, and when it will be convenient to receive them.

I have, &c.

(Signed)

H. TUCKER.

To the Honorable J. B. Currey,
Secretary to Government,
Kimberley.

Inclosure 2 in No. 20.

Sir,

Lieutenant-Governor's Office, Kimberley, April 14, 1875.

I HAVE the honour to transmit herewith a letter addressed to your Excellency by Messrs. Henry Tucker and William Ling, styling themselves respectively chairman and treasurer of "Diggers' Association."

2. This letter was received at the office of the Secretary to Government late on Saturday afternoon the 10th instant, and I take the earliest opportunity of transmitting it, and of making such remarks upon it as appear to me to be requisite to enable your Excellency to form a correct opinion of the conduct of Messrs. Tucker and Ling, and of the value of the statements made by them.

3. They allege that the printed document which they transmitted to the Right Honourable the Secretary of State for the Colonies to your Excellency and to myself, under cover of letters dated on the same day as the document (the 20th March, 1875), was styled a "Proclamation," and had the Royal Arms placed at the head of it by the printer unauthorizedly, and without the knowledge of the writers, who did not notice it in time to rectify the error.

4. On this assertion I beg to draw your Excellency's attention to the fact that, in all the letters to the Secretary of State to yourself and to the Secretary to Government, all of which are signed by Mr. Tucker, the document is styled a "Proclamation," issued by the Diggers' Association. Copies of the document were posted about the town in various places, and left so posted for many days, and on the 24th, four days after the document was issued, it was published in the same form as an advertisement in the "Diamond Field" newspaper, the organ of the Association, and in an article in the same issue of the paper, marked attention was called to the circumstance that the "Proclamation" bore the Royal Arms at its head, and terminated with the words "God Save the Queen."

5. This, I think, must satisfy your Excellency that the statement now made in the letter addressed to you by Messrs. Tucker and Ling is, to say the least, wanting in candour.

6. That dissatisfaction should exist among the associates of Messrs. Tucker and Ling, and even among others, with some of the acts of Government is no matter of surprise, such things happen in all countries; but I venture to say that dissatisfaction does not exist among the great body of the respectable inhabitants to any extraordinary extent. I believe the general contentedness will bear favourable contrast with many other communities. If proof of this were needed it would be found in the fact that, notwithstanding the great and intimidating efforts of the malcontents, backed, as they are now known to be for purpose of their own, by one or two persons who have a command of capital, they have succeeded, although the Government has had nothing but moral force to support it, in obtaining the support of but very few of the inhabitants, except the lowest and most worthless of the community. I except from this assertion young men belonging to the neighbouring Republics, many of whom are found among them.

7. I need not dwell in this communication upon the subject of the petition to Her Majesty to which this allusion is made. I reported on that document in my despatch of the 26th November last, and the Secretary of State's acknowledgment of its receipt, together with the reply which his Lordship directed to be made to the Petitioners, were duly communicated to them on the 25th ultimo.

8. I should here observe that Messrs. Ling and Tucker and their deluded subordinates do not represent either the wealth or intelligence of the Province, and that, although they have been frequently informed that if they desire to procure alterations or amendments in the laws, they should seek to obtain those alterations by Petitions to the Legislature, or to the Government, they have not adopted that course. Neither they, nor the better classes have presented Petitions on the subject, from which it may be inferred that the latter, who are the principal contributors to the public revenues, are not, as you might be led to suppose by the representations of Messrs. Tucker and Ling, greatly dissatisfied with the existing state of things.

9. No doubt some changes are desirable, and as the requirements develop themselves, my attention is directed to them with a view to corrections being effected, and if, instead of attempting to obtain alterations by an exhibition of physical force, Messrs. Tucker and Ling, and those whom they represent, were to adopt the usual and ordinary means for obtaining the object, they might assist the Government, instead of throwing obstacles in the way.

10. The writers of the letter are not justified in asserting that since their

Petition to Her Majesty was forwarded, no inclination has been evinced by the Executive to satisfy reasonable complaints (if that be their meaning), and that, on the contrary, further and heavy exactions and burdens have been imposed on the people. The Petition was forwarded on the 26th November, 1874, since when the Legislative Council has not been in Session, and, therefore, no new taxing measures could have been enacted, and the Government has been unceasing in its endeavours to obtain reliable information upon which to regulate future legislative action.

11. By the term "further and heavy exactions and burdens," I presume is meant what are known as the hospital fees. These fees are leviable under the provisions of the Ordinance No. 2 of 1874, and the circumstances which influenced the Government in submitting that Ordinance to the Legislative Council, and the necessity for levying a special tax for hospital purposes, were fully explained in my despatch of the 26th March, 1874.

12. The Ordinance was introduced and read a first time on the 22nd of January, 1874, and passed on the 9th February; no Petitions were presented against its provisions during its progress, and it received the support of three out of four unofficial members of Council.

13. In the belief that such a measure would, as it certainly did at the time, receive the almost unanimous support of the community, and that the diggers would be willing to contribute towards the support of an Institution so necessary here as a public hospital, such small amounts as they might be unable to recover from their native labourers, the Government undertook the construction of a suitable building at an expense of about 3,000*l.*, and entered into arrangements for its management at a probable annual cost of about 2,000*l.* The allegation that there is no certainty that natives will serve out the time for which they engage, and that the Government is unable to compel them to do so, and that, therefore, the payment in advance of the hospital fees for the full period for which the men engage may be lost to the employer, appears to a superficial reader to be a reasonable objection, but when it is considered that the hospital fee is only 1*s.* a month for the period of engagement, that the outside period for which any native engages himself is six months, and that the ordinary rate of wages is 10*s.* a week with food, your Excellency will perceive that the full amount of advance can easily be deducted from the first week's pay, and that the employer can reimburse himself within that period.

14. Again, if all employers of labour obeyed the law, the evil complained of would cease to exist, for if all coloured labourers were hired, as they should be, through the registering officers, they could only be contracted to new masters on showing that their previous contracts had expired; but the demand for labour being at present greater than the supply, many diggers send their servants about to attract natives to their service, by offering higher pay or other inducements, and the proper fee of registration is neglected by the masters for their own advantage, though in previous angry demonstrations against the Government in 1871-2, one of the chief complaints was that natives were not compelled to be registered.

15. Under these circumstances, it becomes necessary to look deeper for the real cause of dissatisfaction, and for the reasons which influence such men as Messrs. Tucker and Ling, and their supporters, in their endeavours to avoid the payment of the hospital fee, and indeed the payment of any other tax which can possibly be evaded. In my opinion, the real cause is easily to be found. These men have all along endeavoured to prevent any form of government from being carried on which did not give to themselves an unreasonable—to my mind, a dangerous—amount of power. This was the case when the Free State Government claimed to exercise jurisdiction over the country; it continued under the administration of the Commissioners as your Excellency's representatives; and at that time became so dangerous as to render it necessary for your Excellency to come here and endeavour to allay the discontent.

16. In order to accomplish this, you promised to recommend to Her Majesty's Government to form Griqualand West into a separate province, and to grant it a Constitution, upon, as these people allege, the model of Natal. This induced them to rest again for a time. They fondly imagined that a Constitution similar to that of Natal, and not merely upon its model, would be obtained; and as such a form of Government would have given a large preponderance of unofficial members over official members in the Legislature, they expected soon to be able to grasp the power which they so ardently contended for, and their disappointment was great, when the Constitution arrived, to find that their anticipations had not been realized. They assembled "mass meetings," protested against the Constitution being put in force, called upon me to suspend it pending a reference to the Secretary of State, and when they found that they

could not attain their object in that way, they at first thought of accomplishing it by urging the community not to elect representatives. This they soon found would not succeed, and they therefore exerted their utmost endeavours to elect members from among themselves; several were nominated, and among them Mr. Tucker himself, but although others withdrew in his favour, they did not secure his return—he was defeated, and ever since the opposition of the party to all legislative and other Government measures has known no bounds.

17. I have fully reported these matters to your Excellency from time to time, and would here desire to refer in particular to my despatches of the 2nd of August and 31st December, 1873.

18. Many of the alleged grievances now submitted for your Excellency's consideration are similar in character to, and equally vague as, those represented to Her Majesty in the Petition before alluded to, and upon them I shall not now again animadvert, but beg to refer your Excellency to my despatch of the 26th November, 1874, which accompanied the Petition when it was forwarded to you.

19. I shall confine myself in this despatch to remarking upon parts of the letter in which other matters are brought to your notice.

20. The Government notice referred to at page 8, drew attention to certain responsibilities which the law imposed upon the masters of servants in time of the latter's sickness, and the notice is published because the attention of Government had been called to numerous instances where employers of native labourers had, as such labourers were found to be too ill to work, turned them away into the streets, instead of providing for them according to the law's requirements. I annex a copy of the notice.

21. As regards the complaint against the Mining Surveyor at page 9, I beg to observe that, as it was notorious that Mr. Tucker and others, who boasted of their determination to set the law at defiance, had large numbers of natives in their employ, the Mining Surveyor was only performing the duty which those laws demanded of him by endeavouring to obtain proof sufficient to convict the parties by whom the law requirements were being evaded or disregarded. That he performed those duties with as great a degree of moderation as the circumstances admitted of I am quite satisfied, and I annex Mr. Ward's report for your Excellency's information.

22. No orders have been issued to the police not to interfere with natives who are guilty of breaking the laws, but they have been instructed to abstain from interference with any other, whether natives or others, who are not at the time committing illegal acts.

23. The Ordinance No. 21 was enacted with a view to reduce, as far as practicable, the illicit trade in diamonds which was known to be carried on, and to provide for the trade being conducted in an orderly manner; and Ordinance No. 18, to place increased restrictions upon the wine and spirit trade, was passed with a similar object in view. It was represented to the Government and to the Legislative Council by petitions, that much of the illicit traffic in diamonds was traceable to the want of sufficient surveillance over the trade in diamonds, and of more stringent laws for the regulation of canteens.

24. When those petitions were received by the Legislative Council, that body determined upon making a careful enquiry into the merits of the case, and appointed a select committee for the purpose. The Ordinance No. 18 was the result of that enquiry, and I may remark that greater restrictions would have been placed upon canteens and the trade generally, but for the opposition of one or two of the official members, and notably of the Secretary to Government.

25. I annex a copy of the report of the Select Committee, and of the evidence taken by it. You will observe that both Mr. Tucker and Mr. Ling gave evidence before the Committee, and that both were in favour of placing greater restrictions upon the trade than at the time existed.

26. If the provisions of these Ordinances are believed by the public to require amendments, there is a legitimate process by which that end is to be obtained.

27. The 9th paragraph, at the head of the 12th page, of Messrs Tucker and Ling's letter, contains the pith and substance of the "grievances" of the party. They desire to get all the power into their own hands, in order to be in a position to deprive Her Majesty's coloured subjects of their privileges and rights, but it would be a power which, in my opinion, ought not to be conceded.

28. The writers of the letter to your Excellency refer to a correspondence between them and myself which has not terminated in the result they aimed at. It was intimated to me that Messrs. Tucker, Ling, and two or three other Associates, desired to obtain an interview with me in their individual capacities, to confer upon certain

three subjects, mentioned in a memorandum in Mr. Tucker's hand-writing, which was shown to me, but that they hesitated to apply for the interview, as they thought it probable I should refuse compliance. I at once expressed my willingness to receive them in the capacity and for the purposes mentioned. This expressed willingness on my part was conveyed to Mr. Tucker, who thereupon wrote the letter which is appended to the communication to your Excellency, requesting that he and his Associates might be received as "a deputation," to discuss a variety of subjects not named in the Memorandum referred to.

29. To this I replied, reiterating in substance my willingness to receive Mr. Tucker and the others as private members of the community, to confer on the three before-alluded to subjects, upon proper application for such an interview being forwarded to me, and pointing out that the other subjects mentioned were such as could best be discussed in writing.

30. No application was made for an interview such as I had expressed my willingness to receive and assent to, and therefore no interview has taken place. Copies of this correspondence will be forwarded to your Excellency.

31. As regards the 11th paragraph of the letter on which I am now reporting, I must say that I have no doubt, that it would be agreeable to those whom Messrs. Tucker and Ling represent, as well as to themselves, to see some one in the position of Secretary to Government, over whom they could exercise a larger amount of influence than they can exercise over Mr. Currey, one, in fact, who might be induced by fair means or by foul means to "play into their hands;" but I feel bound to draw your Excellency's marked attention to the fact that they allege nothing against Mr. Currey's character or conduct which in the least disqualifies him for the office he holds, and to add that, on the contrary, Messrs. Tucker and Ling owe him a debt of gratitude for having exerted himself as he did on Monday last to prevent them from adding to their other criminal acts the more serious one of being accessory to the crime of murder, if not of themselves being guilty of that crime; and the Government also is indebted to him for aiding the magistrate to tide over a most serious crisis, without compromising the Government, or the due and proper administration of justice.

32. I shall write further and specially on this latter subject, in reporting what took place on Monday last, respecting which I have already forwarded a telegram to Colesberg, for transmission to your Excellency.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency

Sir Henry Barkly, G.C.M.G., K.C.B.

Inclosure 3 in No. 20.

Government Notice No. 104 of 1874.

*Secretary to Government's Office, Kimberley,
December 7, 1874.*

THE attention of the Lieutenant-Governor having been drawn to the fact that considerable numbers of natives have recently arrived at Kimberley from the Interior, in too emaciated a condition to find masters, or undertake any sort of work: his Excellency directs it to be notified for general information that hospital Marquees have been pitched near the Gaol as an Infirmary for the shelter of such sick and destitute natives, where food and attendance will be provided until they are sufficiently recovered to earn their own living:

All persons are therefore requested in the event of their finding destitute natives, to send them to the native infirmary, or to give notice at the police camp in order that they may be sent for.

Contracted servants cannot be received as destitute, though they will be received for medical treatment, and his Excellency desires to take this opportunity of impressing on employers of native labour that during the period for which any natives are contracted to them they are bound to supply such natives with food and shelter and to pay them their wages whether they are ill or not.

By command of his Excellency the Lieutenant-Governor.

(Signed) JOHN B. CURREY,
Secretary to Government.

Inclosure 4 in No. 20.

Sir, *Kimberley Mining Surveyor's Office, April 8, 1875.*

IN accordance with instructions received from his Excellency the Lieutenant-Governor, I inspected, on the 12th ultimo, the area around Kimberley Mine, to ascertain whether clause 23 of section 1 of Schedule to Ordinance 10 of 1874, was carried out.

During my inspection I found two white men working without miners' certificates.

While inspecting the contract tickets of some natives, whose masters were present, I saw three natives trying to slink off between the heaps, and I told the two mounted policemen who accompanied me for the purpose of stopping runaways, to hail them, which they did; but the natives, instead of stopping, ran away. They were, however, caught by the police, and having no contract tickets, I ordered them to be taken to the gaol, which was close by. At the gaol two of the three natives were given in charge; the third was directed to show his master's residence, and he led me to a man who informed me that the natives were in the service of his brother Samuel South, working a claim in No. 4 North (Kimberley Mine). After getting this information I released the natives, and proceeded on my tour.

When near Mr. Tucker's depositing place, where several natives were working without any supervision, I rode up to them, and the two policemen rode up to some natives at a well; these, however, began running away in the direction of Mr. Tucker's ground. I told the policemen not to pursue them, as I knew Mr. Tucker's place, and I rode straight up to Mr. Tucker, and asked him if his mining labourers were registered, to which he replied "No!"

I told him I had instructions to see that servants working in the area were registered according to law. Upon this Mr. Tucker remarked that it was a hardship, and unjust. I then told him it was not for me to argue with him, but that he must comply with the law. I then rode away up to some huts that Mr. Tucker had pointed out to me as being occupied by natives having no masters.

I found there five or six natives, all of whom, with one exception, were contracted servants.

The next morning the two natives of Mr. South's were brought up before the Magistrate; and seeing Mr. South outside the Court-house, I called him in, and charged him with having servants not registered, and requested that the natives might be released:

The two mounted policemen who accompanied me when I inspected the mining area had their revolvers as usual when on duty, but I carried no weapon. I had with me only a spy-glass, which I generally wear over my shoulders, and my pocket-book and pencil. This I state in refutation of Mr. Tucker's statement that all were armed.

In conclusion I may state that I found in the area over 100 uncontracted natives, not including Mr. Tucker's, in the service of twenty diggers, of whom I can furnish a list if required.

(Signed)

WALTER WARD,
Surveyor, Kimberley Mines.

The Honourable
J. B. Currey, Esq.

Inclosure 5 in No. 20.

Sir, *Government House, Cape Town, April 23, 1875.*

I HAVE received your despatch of the 14th instant, transmitting a letter addressed to me by Messrs. Henry Tucker and William Ling, on behalf of the Diggers' Association, on which you offer such remarks as appear to you requisite to enable me to form a correct opinion as to the value of their statements.

2. Your Excellency exposes so clearly the exaggerations and inconsistencies contained in Messrs. Tucker and Ling's allegations that it is all the more to be regretted that the interview which you expressed your willingness to grant them in their individual capacities did not take place, so as to have allowed the weakness of their case to have become publicly known.

3. Even as matters stand, it appears to me extremely desirable that your comments should as soon as possible be published. This could be effected either by laying the whole correspondence, when completed, before your Legislative Council,

which does not appear to have been yet consulted as to the untoward position of affairs, or by communicating in my name to Messrs. Tucker and Ling, extract from your despatch under acknowledgment, as the report with which you had accompanied their letter, omitting merely that part wherein you refer to the circumstances under which the present political constitution of Griqualand West was granted by Her Majesty, which has no direct bearing on the grievances now put forward.

4. The latter course appears to me preferable, and I therefore wish you to adopt it with all convenient speed. In so doing you will be pleased to inform Messrs. Tucker and Ling that I have attentively considered the various statements in their letter, and consider that you have satisfactorily disposed of all the principal charges made against your Government, and shown that you would not have opposed the removal of any grievances that could be proved to exist, if they and their associates had set about obtaining redress in a legitimate way; that it would be impossible for me, at the present moment, to leave Cape Town for the purpose of entering on the temporary administration of the Government of Griqualand West, even if I deemed it desirable to do so; but that, as the Legislative Council of the Province is now in Session, and prepared to take into consideration any petitions that may be presented for a modification of the Ordinances passed last year, and as steps have already been taken for a large reduction in the public expenditure, I do not see what good could result from my visit; and lastly, that, as even according to their own version of the facts, there can be no justification for the violent and unconstitutional course pursued by the Diggers' Association in arming and drilling its members to resist the execution of the law. I hope to hear by the earliest opportunity that that Association has dissolved of its own accord, so as to avert the punishment which must otherwise necessarily fall on all its members, and put a stop to the ruinous expense which the movement of a column of Her Majesty's troops from Cape Town to the Diamond Fields will entail on the finances of the Province.

5. I must leave it to your Excellency's discretion whether to add or not, that the Government has been engaged for some time past in an attempt to acquire possession of the Vooruitzicht farm by purchase from the proprietors, with a view to giving fixity of tenure, and security against increased rent to claim-holders and stand-holders; but I feel confident that such an announcement publicly made would go far to quiet the apprehensions that have recently arisen on that point, which skilfully taken advantage of by professed political agitators, appear to me to be really at the bottom of the existing disturbances.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqualand West.

His Excellency

Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

No. 21.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 5.)

My Lord,

Government House, Cape Town, May 4, 1875.

WITH reference to my despatches by last mail describing the unfortunate state of affairs in Griqualand West, I have the honour to transmit copies of two despatches in which the Lieutenant-Governor continues the narrative of events down to the 22nd ultimo.

2. Your Lordship will, I am sure, regret to learn from them that the deputation from the clergy of all denominations, which, as mentioned by me, was about to wait on Mr. Southey for the purpose of mediating, had no authority to propose terms which he could accede to, and I am sorry to have to report likewise, in a separate communication, by this opportunity, that the result of my own interview with the gentlemen who had been appointed at a public meeting to proceed to Cape Town to explain to me how a settlement of the difficulties on the Fields could be brought about, has proved almost equally unsatisfactory.

I have, &c.

(Signed)

HENRY BARKLY

Inclosure 1 in No. 21.

Sir,

Lieutenant-Governor's Office, Kimberley, April 22, 1875.

WITH reference to my despatch of the 17th instant, in which I informed your Excellency that Messrs. Ransch, K. Tucker, Goodchild, and Reid were proceeding to Cape Town to endeavour to obtain an interview with you, as a deputation from certain inhabitants of this place, and in which I acquainted you that this move had originated with certain members of the Kimberley Mining Board, and that the subsequent proceedings had been conducted by the leaders of the disaffected portion of our community, who had themselves been guilty of serious criminal acts, I have now the honour to transmit, for your Excellency's information, copy of a letter addressed by Mr. A. T. Goodchild and certain clergymen to the Secretary to Government, dated 15th instant, inclosing copy of a resolution passed at a so-called "public" meeting, held on that day, and requesting that I would grant them an interview as early as possible, for the purpose of submitting the resolution to my consideration.

2. The letter was received at the Secretary's office in the afternoon, and I appointed 11 o'clock on the following morning for the interview, at which hour the gentlemen whose names are signed to the letter, accompanied by two or three other clergymen, waited upon me, and I discussed with them the subject matter of the resolution.

3. I first asked the Deputation to explain what was meant by the words in the resolution, "no further political prosecutions," as I was not aware that any such prosecutions had taken place.

Mr. Goodchild said he thought it was meant to ask that none of the Associationists should be proceeded against for what had occurred. The clergymen said they did not know what exactly was meant by the words, and several of them stated that they had not seen the resolution until just before coming to me, and gave me to understand that they did not agree with its terms, but that they desired to exercise their influence as far as they could in the interests of peace.

4. I pointed out that I was asked to discontinue enrolling special constables, and not to take any active measures to preserve order until a reply could be received by your Excellency to some representations to be made to you, the particulars of which I knew nothing of, and was, therefore, not placed in a position to judge what your reply was likely to be; and that I was asked to consent to this on the bare promise of a man with whom I could hold no communication after what had then recently occurred; that no armed demonstrations or meetings for drill should take place on the part of the Associationists pending the receipt of your Excellency's reply; that the application amounted simply to this, that I should consent to the Associationists remaining as an unlawful body of organized armed men, and that I should take no measures for their suppression.

5. I thanked the deputation for the trouble they had taken, and invited the members to come to me freely on all occasions, but stated that I was unable to comply with the request contained in the resolution.

I would not, I said, discontinue the enrolment of special constables and volunteers, nor give any pledge that prosecutions should not take place, but that I would exert myself to the utmost to maintain the public peace. With these assurances the deputation left, I thought, satisfied that I had acted rightly.

I have, &c.

(Signed)

R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 3.

Sir,

Kimberley, April 15, 1875.

AT a public meeting held this day, we, the Undersigned, were requested to call upon his Excellency the Lieutenant-Governor, and submit a certain resolution passed at that meeting, and beg to request that his Excellency will be pleased to grant an immediate interview.

(Signed)

A. T. GOODCHILD, *Chairman of Public Meeting.*

J. W. RICKARDS, *Rector of St. Cyprian's.*

JAMES FISH, *Wesleyan Minister.*

GEORGE MABIN SLADE, *Wesleyan Minister.*

BD. KEET, *Minister of the D. R. Church.*

J. W. G. LE BIHAN, *Roman Catholic Priest.*

To the Hon. the Secretary for Government.

Inclosure 3 in No. 21.

Resolution of the Public Meeting of April 15, 1875.

That the Chairman of this meeting be authorized to communicate with the Lieutenant-Governor, and request, on behalf of this public meeting and the community, that no further political prosecutions, or enrolment of constables, or active measures be taken until reply be received from Sir Henry Barkly to this deputation. The Chairman of the Diggers' Association having given a pledge to this meeting, and being prepared to renew that pledge to the Governor, that no meeting for drill take place, nor any armed demonstration, and that the clergy, together with the Chairman, be requested to act as the deputation.

Inclosure 4 in No. 21.

Sir,

Lieutenant-Governor's Office, Kimberley, April 22, 1875.

I HAVE the honour to report, for your Excellency's information, in continuation of the narrative of events which were contained in despatches of the 15th and 17th instant, that no material change has occurred in the aspect of affairs since the date of the last-mentioned communication.

2. By notice in the "Mining Gazette" of the 20th instant, of which I inclose copy, a meeting of "all corps" of the Associationists unarmed was called for that evening by William Ling, the meeting to take place at 8 o'clock, at Tucker's house, for business purposes only. I am informed that the meeting was very poorly attended, but I have not learned what were the subjects discussed.

3. The armed guards are still stationed at the houses of the leaders, and arrests could not be attempted without the risks referred to in my despatch of the 17th instant.

4. On our part we have materially strengthened the public offices and buildings against attack, and about 250 volunteers being enrolled. I have appointed Captain Carr to be Commandant, Captains Ramsay Stewart, and H. J. Yonge, and Messieurs Gilfillan and Percy, to be Captains of companies, and Mr. Bradshaw to be Adjutant. A muster will be held on Saturday afternoon, the 24th instant, and arrangements made for relieving the constabulary and special constables from the performance of all but regular police duties, a step which is rendered very necessary by the unceasing efforts of the Associationists to stir up strife between the white and coloured inhabitants.

5. I forward a copy of the "Diamond Field" of the 21st instant, in which I have marked some of the most objectionable passages. This paper is the recognized and avowed organ of the "Association," and the statements which it puts forth, though so glaringly false that they should not obtain credence, are eagerly seized upon by the members of the Association and their friends to vindicate the proceedings of those who are bent on reducing the coloured classes here to the subjection to which they are condemned in the neighbouring Republics.

6. Nor does the mischief engendered by these misrepresentations end with the ill-feeling created thereby in the minds of some of the European population against the natives. The coloured classes have their native missionaries and teachers, and many educated members who read these things, and repeat them to their friends, and a feeling of alarm and indignation is fast spreading amongst the Zulus, the Fingoes, and the Colonial coloured men of mixed race, who feel that their liberties are threatened, and hear themselves spoken of in terms which they know to be untrue, but which they neither know how to repudiate or resent.

7. It has also to be remembered that some of the persons who are seeking to embroil the white and coloured classes, being themselves large employers of labour, have it in their power at any time to produce disorderly scenes in the public streets, by means of their own servants, and thus appear to establish the truth of their assertions as to the lawlessness of the natives. One of the coloured men injured on Sunday, the 21st ultimo, when the members of the Association professed to "keep order," was a servant of Mr. Tucker's.

8. I shall, therefore, gladly avail myself of the services of the volunteers to guard the public offices and buildings, so as to admit of a strong force of regular police and special constables doing street duty, and endeavouring to repress all violent and riotous conduct, but I must give expression to my opinion that the violent language employed towards the coloured people, and the unfounded charges so recklessly and maliciously

made against them, have greatly added to the necessity which already existed for the presence of a force adequate to compel obedience to the law by all classes of the community.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 5 in No. 21.

Extract from the "Diamond Field" of April 21, 1875.

THE public feeling rapidly growing in favour of the Associationists was deeply intensified by the most mistaken action of Government in permitting persons of colour to consider themselves the "troops" of the future. "Parliament men" is the title the vile wretches give themselves, and although our rulers may quibble, and dodge, and deny the enrolment of those men of colour, yet the grand fact remains that "their names were taken down, and they work under an acknowledged and known leader." Mr. John Coverwell may be, for all we know to the contrary, a more reputable person than any of his class, but the name of "Green Leaf" is known in Capetown. The knowledge of "Green Leaf" atrocities is spread throughout Africa, and there are men and women too in Kimberley who have suffered outrage and insult at the hands of the very gang that now gathers round the "Ladies' Pet." Ministers of religion may pray for peace in the name of the King of Heaven; but "Green Leaves" must be encouraged to dare and defy, though they cannot terrify, Her Majesty's loyal white subjects, in order that the deeds of a Southey, instigated by the envenomed brain of a Currey, may be palliated or excused.

Saturday night was the scene of a fearful riot and of many robberies. Mr. Perrott, a man than whom none in Kimberley is more respected; Weber, a quiet, harmless photographer, and a number of the most well-behaved men in Camp, were deliberately attacked by the "Parliament's Men," at "The Hotel," and many of them paid with severe injuries and heavy losses in money and diamonds for their devotion to a Government which encourages the lustful and ferocious "Green Leaf" gang to consider itself the especial aid and support of the authority of the most amiable and virtuous Sovereign that ever ruled over the British Empire. It is a remarkable fact that the gentlemen who were so brutally attacked were none of them in any way connected with the Association. Many of them were zealous supporters of Government. It is also a strange fact that when the principal of the assailants was given into the custody of Detective Collins, whose presence was conspicuous amongst that murderous gang, he declined to take the charge. Why, we will not inquire pending an official investigation which, we trust, will be held on the subject. The *malice prépense* of the "Green Leaf" faction is especially marked by the fact which can be sworn to by many reputable witnesses, that the coloured gentry remained for two hours and a half in the immediate vicinity of the hotel, waiting for their victims to issue forth. They were heard to say, "Wacht u zal een moeije spuilgie zeen net nou." Later they pressed into the bar of the hotel, clamouring for drinks, and rudely hustling the boarders and regular customers. Then after having thus proclaimed the equality of races, they drew up outside and prepared for the attempt at murder and robbery, which but too soon followed. The first man struck was poor Weber. The blow was inflicted evidently with some iron-shod instrument. It split from one end to the other the entire outer membrane of the ear, creating instant insensibility from the shock and loss of blood, and its final result in all probability will be either death from erysipelas or deafness for life. Perrott's case is almost as bad. He has a deep wound, penetrating to the bone, in the head, as well as several minor injuries. He lost a large quantity of diamonds, and a pocket-book for which he would not be unwilling to pay a considerable reward. Mr. Lazar also suffered grievously, his right ankle and arm being injured. We regret we cannot give a full list of the personal injuries inflicted; but we can add an interesting fact to our narrative which will open the eyes of thousands as to the dangers of our position on these Fields, caused by the servile incapacity that persuaded the "Green Leaf" gang that they would be armed for the purpose of declaring civil war against Her Majesty's white subjects. When the fray was over the "Ladies' Pet" was asked publicly if he was not an enrolled Government man, when he plainly and emphatically

stated that he was. All this, we have no doubt, will be duly proved in a Court of Justice, that is if there is such a thing in Griqualand.

Sunday passed off in a very different manner from the previous Sundays. Those simple-minded but thoroughly well-disposed people who asked the Associationists to suspend their patrols, had an excellent opportunity afforded them of studying the difference between native habits and customs, when permitted full license, and when under judicious control or severe repression. The new main street was all day a scene of disorder, riot, and debauchery. Horrors of the most disgusting kind were perpetrated with impunity in all parts of the camp, and the congregations of the various churches were frequently disturbed during prayers by the obscenities and yellings of the drunken savages who, unchecked, roamed through the thoroughfares. The peaceful moon shone upon rapine, robbery, native dancing, drilling and drinking, whilst the mothers of white children crouched almost helplessly at home, knowing that their defenders were disarmed and their savage enemies being enlisted by the paternal Government to aid in the destruction of Kimberley. A rainstorm fortunately set in towards morning, which drove the idle vagrant natives to roost, and morning dawned quietly enough.

A sensation was, however, created towards evening by a statement getting into circulation that Waterboer's assistant plunderers were marching to Southey's aid, and to be soon expected in camp. This bore some appearance of truth about it, for no one doubts that our unscrupulous rulers would even for a moment hesitate to avail themselves of any assistance to help them to murder Her Majesty's white subjects. Still discretion being the better part of valour, we doubt that Waterboer will enter our camp. Should he do so, we may put in an obituary notice on the death of his section of the great Griqua nation.

The troops are, as usual, on their way up. Wolf, wolf, is the cry, and Government loudly proclaims its satisfaction. But they have been convicted of lying in their former statements, about the 7th or 8th being the day of starting. Now they assign the 14th as the latest date on the best authority. Let us calmly review the facts. On the 12th of this month the people were forced, for the purpose of compelling the attention of his Excellency Sir Henry Barkly to our sad condition, to hoist the mourning signal and place themselves between tyranny and its victim. On Wednesday, the 14th, Mr. Southey's "dove," the elegant and refined Henry Basil Roper, started for Colesberg to telegraph to his Excellency about the funk the authorities were in. He possibly reached Colesberg and did his work on Friday evening, the 16th, yet we are asked to believe that, outstripping waggon, telegraph, time, and all difficulties, Sir Henry had dispatched troops towards this Province on the 14th, the very day Henry Basil Roper departed from here on his mission. The dove of peace he was not, but he was a dove with "a Capetown green leaf" in his mouth, the first dove we ever heard of who went forth to call, by falsehood and misrepresentation, English soldiers to help blacks to massacre Englishmen.

The volunteers, Government's lot here, are no great shakes. At least twelve have resigned already from pure disgust at their associates and surroundings, as well as at Saturday night's proceedings. No doubt the men are brave—as all Englishmen are—but so much the more reason why they will not help to butcher the people. Brave men will not fight for cowards and in alliance with liberated slaves. The stories about troops are got up to strengthen the flagging enthusiasm of the majority, who were in many instances compelled to enrol through mere pressure, social or commercial. It is said that the respectable classes are with Government. This we do not believe.

The ladies of the camps are heart and soul with their white friends, and a Petition to the Queen is being circulated and signed amongst the quiet neutral classes that will astonish those who malign the Associationists.

Since the cessation of patrolling some persons connected with the Government have taken to alarming the camp by revolver shooting amongst the heaps at night. This ought to be stopped, as it may cause alarm.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 5.)

(Confidential.)

My Lord,

Cape Town, May 5, 1875.

WITH my despatch of the 6th ultimo,* marked "Confidential," I forwarded for your Lordship's information copy of a correspondence between Mr. Southey and myself respecting a difference of opinion which had manifested itself in his Executive Council as to the issue of a notice calling for the enrolment of volunteers to aid in maintaining order.

2. Copies of the reasons recorded on the Minutes by the Acting Attorney-General and the Treasurer against such a step formed a part of the inclosures on that occasion; but those assigned by the Government Secretary for supporting the proposal were not appended.

3. In a subsequent public despatch, however, written some weeks later, Mr. Southey recurred to the subject; supplying copies of Mr. Currey's Minute, of subsequent communications with Messrs. Shippard and Giddy in regard to theirs, and of one of his own summing up the discussion. On perusing these additional documents, I was so much alarmed at the reckless tone in which the Government Secretary, long before open resistance to law had manifested itself, in the case of Cowie, had advocated the proclamation of martial law—even if it led to bloodshed—that I felt it my duty to write in the strongest terms to Mr. Southey, who had transmitted the Minute to me without expressing reprobation of its sentiments, notifying that I entirely disagreed with such views, and contemplated a general amnesty to all except the leaders, as soon as the Government had a sufficient force to proclaim one without its being attributed to fear.

4. I adverted, before concluding, to a proclamation issued directly after the proceedings in the case of Cowie, whereby all who had appeared in arms on that occasion were declared to be "in rebellion against the Queen," which appeared to me to have been one of the first fruits of Mr. Currey's suggestions. Of course if I concurred in Mr. Southey's view that the members of the Digger's Association are "thoroughly disloyal, and fully bent upon committing serious breaches of the peace," I should have thought it, practically, signified little whether this impotent declaration had been published or not; but believing, as I do, that the great bulk of them are well disposed men, excited by a sense of the insecurity of the tenure of their property, and led to join in demonstrations of physical force by political agitators, I consider it an unwise course thus to cut off their retreat and drive them thereby to desperation.

5. As bearing on the same question, I transmit, as Inclosures to this despatch, copies of correspondence between the Lieutenant-Governor and myself, in which the same divergence of opinion in regard to the policy that ought to be adopted is exemplified. Much as I admire, indeed, Mr. Southey's indomitable calmness and courage in the hour of danger, I have never ceased, from the date of the commencement of these troubles in Griqualand West, to inculcate on him the necessity of assuming a more conciliatory attitude towards the diggers, who are, in all Colonies, a difficult population to manage.

6. I had no intention in my telegram, at which he takes umbrage, of accusing him of deliberately provoking a collision by the prosecution of Cowie; but having forewarned him of the imprudence of the step, felt I had a right to condemn it, and to require better proof at his hands than the *dénouement* furnished, of the necessity of a military force for the protection of life and property.

7. As, however, there seems no longer any prospect of the voluntary disbanding of the malcontents, and as I have just received a further despatch from him forwarding an extract from the Minutes of the proceedings of the Executive Council, in which the grounds are set forth on which its Members have at length unanimously agreed "that the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government." I can no longer refrain from sending the troops forward, and must confine my future efforts to exerting the authority vested in me by Her Majesty's Letters Patent, so as to limit their employment to the re-establishment of the civil power, and the restoration of peace in the disturbed community.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 22.

Sir,

Lieutenant-Governor's Office, Kimberley, April 15, 1875.

YOU are already aware that in consequence of the attitude assumed by certain persons here who had formed themselves into an Association under the denomination or title of "The Diggers' Protection Association," and in the belief that the members of that Association were thoroughly disloyal and fully bent upon committing serious breaches of the peace, and that believing also, as I did, that the lives and properties of the loyal and peaceable inhabitants were in danger from the intended violence of the members of the Association, I deemed it to be desirable to invite the loyal and well-disposed to signify their willingness to co-operate with the Government in the maintenance of law and order by enrolling their names with the respective Justices of the Peace.

2. With this object in view I drafted a "Notice" on the 22nd ultimo, which I proposed to insert in the "Gazette" of the following day; but before sending it, as I intended to do, to the "Gazette" office, I consulted the members of the Executive Council to ascertain whether they concurred in my views. I knew that the Secretary to Government did concur in my views; but I found to my surprise that the other two, the Treasurer and the Acting Attorney-General did not; both of these officers advised delay, and in deference to their views I abstained from publishing the notice at that time, but I requested that they would favour me with the reasons on which they grounded their advice, in writing. This they did on the following day.

3. The Secretary to Government also desired to place on record the reasons which influenced him in advising differently, and I prepared a Minute in which I expressed my own sentiments upon the case, and upon the opinions recorded by the Acting Attorney-General and the Treasurer; both these documents were recorded on the Minutes of the Executive Council, together with those of the Acting Attorney-General and the Treasurer, and they were read at the next meeting of the Council when all the members were present. I inclose copy of the notice I proposed to have issued, and also copies of the separate Memoranda of the members, and of my Minutes, for your Excellency's information.

4. The meeting of Council at which these papers were read took place on the 5th instant, and on the day following I received letters from both the Treasurer and the Acting Attorney-General requesting to be furnished with copies of the Secretary's Memorandum and of my Minute, Mr. Giddy assigning as his reason for making the request that he desired to answer what he conceived to be erroneous impressions of his views, and the Acting Attorney-General that he desired to be enabled to reply to what he considered to be inaccurate interpretations put upon his words and opinions.

5. I replied on the next day declining to furnish copies of the documents asked for, pointing out that the Secretary to Government had not in his Memorandum alluded in any way to those of the Treasurer and Acting Attorney-General, but had confined himself to assigning his own reasons for the advice he had given, and expressing my willingness to correct at the proper time any misapprehensions or misconceptions, if any existed, in my Minute. I also invited the Acting Attorney-General to call at my office, peruse my Minute at leisure, and point out what he considered to be a misinterpretation of his meaning. I annex copies of this correspondence.

6. Mr. Shippard not having availed himself of my invitation, and knowing that he was about to pay a short visit to Barkly on Saturday last, I sent for him, placed my Minute in his hands, and asked him to tell me in what I had misunderstood him, in order that I might correct my error. After perusal he said he found that the points were not of importance, and he would therefore not ask for amendment. He had not, he said, as I appeared to have assumed, asserted that the action taken by the disaffected had been openly avowed to have been taken for the purpose of intimidating the officers of justice and others. I explained that that was my assertion, not his.

7. The only other point on which he took any exception was that relative to the construction I put on his words with reference to his advice to hold our hands while the malcontents limited their proceedings to opposing the "proprietors'" claims. He did not intend to imply that if the opposition went to the extent of violently resisting the officers of justice those officers should not be supported by the Government. I offered to modify my expressions on both points if he desired it, but he did not, he was satisfied with having called my attention to them, and I expressed my intention of mentioning the matter to your Excellency when forwarding the documents for your information: this, therefore, I now do.

8. At the next meeting of the Executive Council, on the 13th instant, I requested

Mr. Giddy to point out anything in my Minute which he considered as placing an erroneous construction upon the reasons assigned in his Memorandum, and offered, if he desired it, to allow him to put on record explanatory remarks in elucidation of his meaning. He replied that what he considered to be an error on my part was in my having taken his Memorandum as conveying his own sentiments, instead of, as he intended it, as conveying what the malcontents asserted; and he expressed himself as being quite satisfied when I said that I would draw your Excellency's attention to this. I confessed, however, that I had understood his Memorandum as conveying his own reasons for advising me not to issue the notice.

9. Mr. Giddy's belief in the perfect loyalty of the "malcontents" must have received a severe shock when, a few days after his Memorandum was written, some 300 of them assembled in arms to obstruct the officers of the law by force and violence.

10. I am disposed to think that if I had issued my notice at the time I proposed doing so, it is possible that this exhibition of forcible opposition to law and order would not have taken place.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 22.

Government Notice.

THE Lieutenant-Governor being of opinion that it is expedient to form volunteer corps in this province, hereby invites all subjects of Her Majesty the Queen, and other persons residing in the province who are willing to aid in upholding law and order and in the protection of the property of the inhabitants, to enrol themselves before one or other of the Justices of the Peace, all of whom are authorized to enter their names in a register and to administer the necessary oaths provisionally until further orders.

His Excellency desires to impress upon all persons possessed of property the necessity for an early response to this invitation, with a view to render unnecessary the expense which must be incurred if troops have to be sent here from distant places.

March 22, 1875.

Inclosure 3 in No. 22

Mr. Currey's Minute of March 24, 1875.

THE question before the Council is whether, under the present circumstances, the loyal inhabitants of the town of Kimberley should be invited to enrol themselves for the maintenance of law and order, and the protection of property.

The position of affairs appears to be as follows:—

On the 3rd instant a meeting was held in the Kimberley Hall for the avowed purpose of inciting the diggers to action:

1st. To prevent the execution of the judgment of the High Court in the case of *Ebden v. Ling* for ejectment; and

2nd. To prevent the prosecution of Mr. J. R. Taylor, the publisher of the "Diamond Field" newspaper, for seditious libel.

At that meeting one of the speakers, a man who goes here by the name of Aylward, which name is, by his own admission, a false one, wound up the proceedings by calling on the people "to assemble with their weapons in the name of Heaven and their country, to protect themselves from injustice whenever he should hoist a flag at the mine."

Aylward is an ex-Fenian convict, who, during his residence here, has been convicted of shooting a fellow-digger. He was liberated from the gaol at Barkly at the end of 1873.

Arrangements seem to have been immediately made for responding to Aylward's appeal, for, on the 15th, armed men were being openly drilled both in the town and in the outskirts.

On the 20th instant, the Lieutenant-Governor issued a Proclamation warning the

inhabitants against illegally enrolling, drilling, or assembling in arms, and, on the same day, the "Diggers' Protection Association of the Combined Camps," an organization then heard of for the first time, issued what was called a manifesto.

This manifesto set forth that the natives were not under proper surveillance; that thefts of diamondiferous soil took place, and that there were no constables on duty at night in the mine; and it announced the intention of the "Council of the Association" to direct necessary patrols to be made and other measures to be carried out.

The manifesto was signed, Henry Tucker, Chairman, William Ling, Treasurer.

Tucker, who was the Chairman of the meeting already referred to, is known to be insolvent.

His property in the mine is limited to half a claim, and he carries on business under the name of his brother-in-law.

He is an uncertificated bankrupt in the Cape Colony, where he was tried for fraudulent insolvency. He was once a member of the Cape Legislature, and he was a candidate for a seat in the Legislative Council of this Province, but was defeated, and since that time he has become one of the foremost agitators.

Ling is the defendant in the case of *Ebden v. Ling*. He has been a leader in every political agitation here, and is an uncompromising supporter of "diggers' rights," by which he appears to mean the right of diggers to do as they please.

The Government has no information as to who, in addition to Tucker and Ling, form the "Council," nor are we aware of the objects or rules of the Association, or of the number of its members. It is, however, plain from their manifesto that they proceed upon grounds altogether different from those which formed the original pretexts for the enrolling, arming, and drilling, and they openly announce the intention of taking the law into their own hands, at least in so far as arresting persons.

In addition to the manifesto which appeared on the morning of the 20th instant, Tucker and Ling, on the evening of the same day, issued a counter-Proclamation to that of the Lieutenant-Governor, in which, after making false charges against his Excellency in most offensive language, they openly assumed the functions of the Government, and, as a proof that this was not mere idle talk, they held an imposing review of their forces, horse and foot, which, after publicly drilling, paraded the streets of the capital.

In this position of affairs I am asked whether, in my opinion, the loyal part of the population should be invited to enrol for the maintenance of order.

Looking first to the causes of the present agitation, I find them to be exactly those which, ever since the establishment of British rule here, have made Government by moral force so difficult, viz., an unreasonable impatience of restraint of any kind, a determination to submit to no interference with certain self-constituted privileged classes, and a desire to bring the native races into more thorough subjection than is possible under the constitution of this province.

As I find the same causes, so I find nearly the old machinery and many of the same agents at work.

The present demonstration differs only in degree from those of 1872, which forced a majority of the Commissioners then administering the Government to yield to the clamour of the mob, and enact class-laws which the Governor had immediately to cancel. The present Administration has as yet successfully withstood the pressure which has been brought to bear upon it by the same set of men in I know not how many different ephemeral organizations, associations, leagues, committees of public safety, and so forth, which have all passed away and are being forgotten. The present effort is on a larger scale. Important interests are concerned, not so much in the matter put forward to catch the public eye, as in ascertaining whether pressure can be used on the Government with effect, in order that it may hereafter be applied for other purposes.

If the Government yields now, it will certainly be made to yield again; and so, on the present occasion, the wires are pulled by hands, supposed to be unseen, for purposes supposed to be unknown.

If constitutional changes were desired, the Legislature is actually in session, and, even if the Government were unwilling to introduce popular measures, the people have their elected representatives. It is plain that the present agitation aims neither at the enactment or repeal of constitutional measures. The question really at issue is, shall the Government yield or stand firm.

In my humble opinion, any sign of weakness now would be most disastrous. I believe that the present Government owes all, or nearly all, the pressure which during the last two years has been put upon it to the weakness displayed by the Commissioners

in 1872; and I believe that similar weakness on the part of the Government now, will not only damage the present Lieutenant-Governor's Administration, but will entail most serious difficulties upon his successors in office.

In speaking of yielding, I of course refer only to the matters on which concession is now demanded, viz., the judgment against Ling, the prosecution of Taylor, and the "surveillance" of the natives, in none of which, in my humble opinion, the Government can yield. The only alternative, then, is to stand firm, and to do this in the face of the present organization of armed men.

The nearest regular troops are at least 500 miles off. There are detachments of F. A. M. Police much nearer, but it is questionable whether they would be available.

Assuming that troops will be sent, or that, at least, they will be held under orders to march if necessary, the question is, whether in the meantime the loyal and orderly portion of the population should be invited to enrol, and I give it as my humble but decided opinion that they should.

It has been held long enough here that the Queen's Government exists on sufferance, and that Her Majesty's Representative exercises his functions by the kind permission of the mob. It is highly necessary that the little clique of desperate men ex-convicts, bankrupts, and penniless adventurers, who have so long disturbed the tranquility of the Province, should be put down once and for all. If necessary, I would put them down by military force and under martial law; but, as the expense of a military occupation of this town would probably have to be borne by the Province, and be eventually thrown on the claim-holders and stand-holders of Kimberley, I think it would be proper to give those classes the option of maintaining order themselves instead of paying for its being done by others; and I would put the case fairly before them, and invite them to enrol. If they decline, then I see nothing for it but military occupation; but I believe that the result of such an appeal would be the formation of volunteer corps under competent military officers and non-commissioned officers, which would not only stop the present movement, but prevent any attempt at intimidation for the future.

The establishment and maintenance of such corps would probably be less expensive than a temporary occupation of the Province by regular troops.

It has been suggested that a third course is open to the Government, viz., to remain passive, neither resisting nor yielding to the pressure exerted, and that, if this course be adopted, the present organization will die away like many before it, and that no overt act will be committed calling for intervention. I confess that this policy does not commend itself to me. That the people engaged in the present movement may tire of it is natural and probable, and it may be possible for a Government to sit still and allow armed men, enrolled for the purpose of opposing and intimidating it, to march about the streets in open defiance of its Proclamations until it pleases them to leave off. In the same way an individual, whilst burglars are entering and ransacking his premises, may stay quietly in bed, and reasonably indulge the hope that they will eventually go away; but I fear that, in either case, such conduct would invite a repetition of the offence, whenever it might be deemed expedient.

Another argument against enrolling is the possibility of bloodshed. I should deeply deplore bloodshed, but I should not shrink from it if it was necessary. I believe, however, that there would be none, or next to none. If the men now in arms were once opposed by a Constitutional force, declared to be in rebellion, and called upon in the Queen's name to disperse, I believe there would be an end of the whole matter. What is their position? They can look for no possible support from any side. They know that their acts are criminal, they are ill-armed, worse disciplined, and scantily provided with ammunition. The Government force, on the other hand, would have the confidence of the law at their back, and the certainty of such ample support as must render them finally triumphant.

At least 200 can be at once armed with military rifles and bayonets, to which the rebels have no arms to oppose. At least 100 would be old soldiers and trained constabulary. Their officers would be gentlemen who have seen and done service in the Crimea, in India, in Ireland, and in Kafirland. I believe that, on the mere enrolment of such a force, the insurgent bands would melt away, and such of their leaders as did not take refuge in the Free State might be arrested and dealt with according to law.

In conclusion, I beg very respectfully to express my adherence to the opinion I then gave, that the proper time for the course I advocate was on Saturday last, after the publication of Tucker and Ling's manifesto, and before the appearance of their insolent Proclamation.

I believe that the appearance of 100 men with fixed bayonets on that evening would have settled the matter. Several days have now passed, during which it is possible that many who then felt strongly have become lukewarm.

(Signed)

JOHN B. CURREY,

Secretary to Government.

March 24, 1875.

Inclosure 4 in No. 22.

Minute.

ON Monday, the 22nd ultimo, in consequence of the unlawful acts and proceedings of a number of persons at this place, who had assembled in arms for the avowed object of deterring the officers of Government, and the law Courts, from performing their respective duties and functions as by law directed, and also with the openly avowed purpose of defying the authority of Her Majesty's Government in this Province, and being likewise urged thereto by many loyal and well-disposed inhabitants, who, having large properties at stake, were naturally anxious for the protection of the same, as well as desirous of rendering unnecessary the bringing of a detachment of Her Majesty's troops hither, in order to avoid the expense thereof, which they knew would have to be defrayed by the Province, I drafted the Government notice herewith recorded, which I proposed to have issued on the following day, inviting all subjects of Her Majesty, and other well-disposed residents, to enrol themselves for the purpose of aiding the Government in maintaining law and order.

I deemed it right, before publishing the notice, to submit it to the Executive Council, which I did in the afternoon of the same day, in order to ascertain if the members of that body coincided in my views. I found that two of them, the Acting Attorney-General, and the Provincial Treasurer, did not; both of them advised that the notice should not then be issued, and, in deference to their opinions, I delayed doing so; but I requested them both to favour me with their reasons, in writing, for tendering that advice, to be recorded in the Council's minute book.

This they did on the following day, when the Secretary to Government requested to be allowed also to record his reasons for having tendered different advice, which being acceded to, he furnished me with a written memorandum on the subject, and all three, with this Minute, will be entered on the Council's minutes for after reference, and copies of them will be forwarded for the information of his Excellency the Governor.

On the memorandum of the Acting Attorney-General I remark that, as it strikes me, the action admitted in his introductory remarks to have been taken by the disaffected, and openly avowed to have been taken for the purpose of intimidating the officers of justice and others, and to prevent them from performing the duties which the laws in force impose upon them, was such as to demand that they should have been prevented, if prevention had been possible, from continuing such proceedings for one moment longer than was absolutely unavoidable.

The demonstration, if unopposed, may subside quietly, but not, in my opinion, without bad results. The knowledge that such breaches of the law can be committed with impunity will, I think, have a demoralizing effect.

I am second to none in my desire to avoid any action that can properly be avoided which might by possibility result in bloodshed, but as the action which I proposed to take was merely to invite the loyal and well-disposed inhabitants to demonstrate, by the enrolment of their names, that they were prepared to co-operate with the Government in support of law and order, in the event of their services being required, that action could not have had the effect which the Attorney feared, while, on the other hand, I believed that a sufficient number would have responded to my invitation to force upon the malcontents the conviction that they must at once discontinue their unlawful proceedings. It appeared to me, too, to be proper that I should afford the well-disposed an opportunity for testifying their willingness to uphold the laws, and so render it unnecessary to incur the expense of bringing troops here, the cost of which might have to be borne by the Province; and, besides, I considered it to be most important for his Excellency the Governor to know for certain what dependence he might place upon the people in aiding to put down open rebellion, and not have to form his judgments upon mere surmise.

I was quite unable to admit that there was force in the reasoning of the Acting

Attorney-General, that, because the opposition of Messrs. Tucker, Aylward, Ling, and the others was aimed more at the proprietors of the farm than of the Government, they should not be interfered with while that continued to be the case, for, after Her Majesty had considered it necessary to disallow the Ordinance No. 9 of last session, which was intended to empower this Government to intervene between the proprietors and the standholders and diggers, to guard against exorbitant charges being made, and after the Right Honourable the Secretary of State had, in communicating that disallowance, directed that the proprietors should be left at liberty to do as they pleased in such matters, I held it to be the bounden duty of this Government loyally and respectfully to accept that decision, and to act up to it to the best of its ability.

The immediate cause of opposition towards the proprietors was consequent upon a decision of the High Court in their favour against a digger who was sued for ejectment, and the object of the demonstration, in so far as the proprietors were concerned, was to prevent the law officers, by an exhibition of force, from carrying that decision into effect.

It is, I conceive, the duty of the Government to support to the full extent of its ability the law in that case as much as in any other, if, when the officers of the Court proceed to put the writ of ejectment into execution, there be resistance to it.

The reasons assigned by the Provincial Treasurer for advising that no action should be taken to put a stop to unlawful proceedings appear to me to be very unsound.

It might possibly have "exasperated the malcontents" to find that the men of property and position in the Province were entirely opposed to their illegal acts, and prepared to suppress them if called upon to do so, but the knowledge of that fact would surely have been of advantage to the Government. I believe that the action which I proposed to have taken could by no possibility have precipitated a collision; but was calculated to prevent it. A collision might have occurred at any moment between the malcontents and the police, the former being encouraged by the numerical weakness of the latter, while, if the police had the known support of a large number of the most respectable inhabitants, as they certainly would have had, such knowledge would have tended to deter the reckless among the men assembled in arms unlawfully, from committing outrages.

It is difficult to understand how men who have combined together to effect changes of the law by unlawful means, and who seek by force of arms to obstruct the administration of justice, can be regarded as loyal subjects. They had forwarded a Petition to Her Majesty, praying for enquiry into their alleged grievances, and an answer to that Petition might have been expected to arrive by an early mail; the Legislative Council was in Session, and might be applied to for alterations of laws. This legitimate and proper course had not been resorted to.

Neither the leaders nor the followers in this unlawful movement are people who pay taxes to any appreciable extent.

The men who contribute most to the public income are the men who would have sided with the Government if invited to do so.

The expenditure had, as the Treasurer knows, never amounted to anything like 100,000*l.* a year. Exclusive of expenditure for land surveys and public works, chargeable to Crown land sales and not to ordinary revenue, the cost of Government last year was only 76,000*l.*, and in my opening address to the Legislative Council on the 5th ultimo, I had announced my intention of effecting considerable reductions this year.

I regret that the Treasurer did not state what the taxes were which he regards as objectionable and which ought to be given up.

He was himself during the last Session of the Legislative Council, the chief advocate for increasing the charge for certain licenses, and for placing restrictions on the trade of licensed victuallers, and these increased charges and restrictions are among the foremost of the alleged grievances.

It should be borne in mind that the revenues of the Province are not derived solely from the inhabitants of this place; that they are drawn almost entirely from trade sources, and that an extensive trade is carried on with people and places outside this Province. It is beyond a doubt that the trade of this place was never in a more flourishing condition than at present, nor conducted on a safer basis. Under these circumstances, it does not follow, as a matter of course, that because the population at the dry diggings is smaller now than it has been, its reduced numbers are individually more heavily taxed than heretofore.

The Treasurer does not say by what means he thinks it advisable to endeavour to conciliate the "malcontents."

He is aware that one of their principal objects is to compel the Government to

place one class of the community (the coloured class) under disabilities to which the white class is not subjected, and we must not lose sight of the fact that when in 1872, in order to conciliate the same people, the Commissioners administering the Government yielded to pressure similar to that now being attempted, and passed a Law depriving coloured people of their properties and rights as British subjects, that conciliation was at once disapproved of by the High Commissioner, and disallowed.

I am of opinion that if British subjects have grievances, or believe they have, and make legitimate and proper appeals for redress to the Government, or to the Legislative Council, such appeals should receive respectful attention; but that, instead of adopting that course, they seek to compel the Government to yield to their demands by unlawful means, such action should be firmly resisted, and at once put down, and the actors be made amenable to justice, and to feel that they cannot succeed in their demands if they adopt unconstitutional means in order to do so.

In my judgment, any, the slightest, yielding to the pressure would have acted prejudicially, and encouraged repetitions.

There can be no doubt that the malcontents have been encouraged and succoured, for sinister purposes, by one, or may-be two or three, of the community, who keep in the background. I have not sufficient proof at present to entitle me to say that the whole movement originated with these one or two. They have an object to attain, if possible, and they are unscrupulous as to the means by which they accomplish it, if they can only succeed. I hope to have fuller information on this subject ere long, and to be in a position to make particulars public for the information of the general inhabitants.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

April 3, 1875.

Inclosure 5 in No. 22.

Sir,

Kimberley, April 6, 1875.

I HAVE the honour to request that you will be pleased to cause me to be furnished with copies of your Excellency's Minute, and also of Mr. Currey's, with reference to the advice tendered lately by me in my capacity as Member of the Executive Council on the proposal to offer armed resistance to the present agitation, in order that I may be enabled to reply to what I consider the inaccurate interpretation put upon my words and opinions on this subject.

I have, &c.

(Signed) S. G. A. SHIPPARD.

His Excellency R. Southey, C.M.G.,
&c. &c. &c.

Inclosure 6 in No. 22.

Sir,

Lieutenant-Governor's Office, Kimberley, April 7, 1875.

I BEG to acknowledge the receipt of your letter of yesterday's date, in which you request to be furnished with copies of the Secretary to Government's Memorandum and of my Minute, which, together with those of yourself and the Treasurer, have been placed on record in the Minutes of the Executive Council. With this request I do not feel at liberty to comply.

It is not the practice, and, indeed, I doubt if I have the power to furnish Members with copies of Minutes of the Executive Council, or of documents filed on records with those Minutes.

If in my Minute I have put an inaccurate interpretation upon your words or opinions, I shall be most willing, and indeed anxious, to be corrected; and you are at perfect liberty to peruse that Minute at any time if you will call at my office, and you can then point out to me where you consider I have erred; and then at the next meeting of Council, when the Minutes of the last meeting are read, I will, if need be, correct the error.

Mr. Currey does not allude in any way in his Memorandum to that furnished by yourself, but simply gives his reasons for the advice which he tendered.

You are, I think, labouring under a misapprehension respecting the action which I proposed to have taken. I did not propose to the Council to offer armed resistance to the present armed agitation, but simply to invite the well-disposed citizens who were

willing to aid the Government in support of law and order, if necessity arose, to signify that willingness by enrolling their names with the Justices of the Peace.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

The Hon. S. G. A. Shippard, Esq.,
Acting Attorney-General.

Inclosure 7 in No. 22.

Sir,

Kimberley, April 6, 1875.

WITH reference to the last meeting of the Executive Council, at which your Excellency and Mr. Currey respectively placed on record opinions on the Minute which I, as a member of the Executive Council, had forwarded at your Excellency's request to the Clerk of that Council, for the purpose of being entered upon the proceedings of our meeting of the 22nd ultimo, I have the honour to request that I may be supplied with copies of these opinions, or that I may be allowed to copy them, with the object of answering what I consider the erroneous impressions of my views therein contained.

I have, &c.

(Signed) R. W. H. GIDDY.

His Excellency R. Southey, Esq.,
&c. &c. &c.

Inclosure 8 in No. 22.

Sir,

Lieutenant-Governor's Office, Kimberley, April 7, 1875.

I HAVE to acknowledge the receipt of your letter of yesterday's date, applying to be furnished with, or to be allowed to take copies of, Mr. Currey's Memorandum and my Minute, which were placed on the Minutes of the Executive Council at its last meeting, on the plea that those documents contained opinions on the Minute written by yourself, and filed at the same time.

I do not feel at liberty to comply with your request, as in my opinion copies of the Executive Council Minutes, or of documents connected with them, ought not to be supplied to members for controversial purposes.

You were requested by me to state in writing the reasons which guided you in giving the advice you did respecting a certain proposed notice which I intended to have issued, inviting well-disposed members of the community to enrol their names with Justices of the Peace, and thereby to signify their willingness to co-operate with the Government in the event of their aid being required in support of law and order. This you did, and the Acting Attorney-General and the Secretary to Government did the same, and I, in a Minute, gave my reasons for differing from the views entertained by yourself, and also from some of those of Mr. Shippard.

The Secretary to Government did not in his Memorandum allude to your paper in any way, but merely assigned the reasons which influenced him in advising differently.

If I have formed an erroneous impression of your expressed views, you will be afforded an opportunity of pointing that out at the next meeting of Council, when my Minute may be re-read if so desired.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

The Hon. R. W. H. Giddy, Esq.,
&c. &c. &c.

Inclosure 9 in No. 22.

(Confidential.)

Sir,

Government House, Cape Town, April 27, 1875.

I HAVE the honour to acknowledge your despatch of the 15th instant, relative to the discussion which took place in your Executive Council on the 22nd ultimo, on your proposal to publish a notice, inviting all who desired to aid in maintaining order to enrol their names, as also to subsequent communications and correspondence which had passed between your Excellency and the Honourable the Acting Attorney-General and Treasurer, who had advised delaying such a step.

2. In my Confidential despatch of the 8th instant, I have already intimated that the issue of the proposed notice did not seem to me open to the objections that were urged by Messrs. Shippard and Giddy; and after perusing the Minute in which your Excellency answered their objections, I am confirmed in this opinion.

3. At the same time I feel bound to add, that supposing the same reasons to have been assigned verbally by the Secretary to Government for the step in question, and similar suggestions as to the mode of employing the force to be raised by it, as were recorded on the Minutes on the 24th ultimo, by Mr. J. B. Currey, to have been made, I cannot wonder at the dissent of the other members.

4. In that Minute, which I readily admit to be written with great vigour and ability, Mr. Currey, after describing the history and objects of the Diggers' Protection Association, proceeds to remark, "If necessary, I would put them down by military force, and even martial law;" and "I should not shrink from bloodshed, if it was necessary;" and again, "if the men now in arms were declared to be in rebellion, and called upon in the Queen's name to disperse," &c. It would be difficult, under any circumstances, to find an excuse for talking thus lightly of the Proclamation of martial law, and all its attendant horrors, in the midst of a mixed population like that congregated on the Diamond Fields; but as at that date the so-called Protectionists had not gone beyond drilling and parading under arms, there seems to me not the slightest justification for the violent and reckless tone of these remarks; and I can well understand how they alarmed his more thoughtful and prudent colleagues.

5. Could I indeed for a moment suppose that your Excellency coincided in Mr. Currey's views I should feel it my duty to exert, for the first time, the authority vested in me as Governor, by Her Majesty's Letters Patent of February 1873, and direct that martial law should, under no circumstances, be proclaimed in the Province of Griqualand West without my previous sanction; but I deem it needless to give express direction to this effect, since your Excellency, far from endorsing the remarks of the Government Secretary, confines yourself to pointing out "that as the action of the malcontents to obtain redress of their alleged grievances was unlawful, it should be firmly resisted and put down, and the actors made amenable to justice."

6. To these propositions I am quite prepared to assent, provided always that by "actors" is meant the leaders only of the movement, and more especially those who subsequently took a prominent part in resisting the carrying out of the magistrate's sentence in the case of Cowie. With regard to the rest a general amnesty should be proclaimed in the Queen's name, so soon as the Government is strong enough to do so without the risk of such clemency being attributed to weakness.

7. This has become all the more necessary because I observe with regret in the "Government Gazette" a Proclamation issued by your Excellency, under date the 12th instant, in which all persons who appeared under arms on the occasion above referred to are declared "to be in rebellion against Her Majesty," liable, therefore, if I am not mistaken, to be sentenced to death by courts martial, in the event of martial law.

8. Copy of this Proclamation was telegraphed to me on the 13th instant from Colesberg, but your Excellency has not since communicated it to me by letter, and I am, in consequence, unaware whether it was published with the advice and consent of your Executive Council or not.

9. It will certainly be essential formally to rescind it whenever an amnesty is published.

10. Requesting that this despatch may be communicated to the members of your Excellency's Executive Council, I have, &c.

I have, &c.
(Signed) HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
 &c. &c. &c.

Inclosure 10 in No. 22.

Sir,

Lieutenant-Governor's Office. Kimberley, April 17, 1875.

BY my despatch of the 5th September last year, I brought to your Excellency's notice the formation or attempted organization of a Political Association at this place, under the title of the "Committee of Public Safety," and I forwarded the opinion given to me by the Attorney-General, that the formation of such an Association was

in itself an illegal act, and also certain correspondence between Mr. G. T. Bean in his capacity of Secretary to the Committee, and the Government showing that I had declined to grant audience to a deputation composed of over thirty members of the Body, or to recognize the unlawful Association or the Committee in their assumed capacity as the representatives of "the people," but that I was at all times ready to receive and give my best attention to any representations by individual members or sections of the community when properly submitted to me.

2. By subsequent communications, your Excellency has been kept informed of the proceedings of the said unlawfully formed Association, and that while its designation or title has been from time to time altered to suit purposes, until it now assumes the name of "The Diggers' Protection Association," it is composed of the same men and has the same leaders at its head, and also that I have deemed it absolutely necessary, in order to prevent those leaders from being able to assert or to assume that they had the countenance of Government in what they did, to steadily adhere to my resolution not to recognize their assumed position in any way, and particularly to my refusal to receive a deputation from them.

3. I was aware that these men did not represent the sentiments of the respectable and orderly portion of our community, and felt that any recognition of their Association by the Government would be distasteful to those better classes, while it would probably have enabled the unruly to draw to their side a larger number of persons than could otherwise be induced to join them.

4. Notwithstanding this discountenance on the part of the Government, and on that of the loyal and respectable inhabitants; and among these latter, I would desire to mention, a large number of men of colour, Her Majesty's subjects, who have come here from the Cape Colony and Natal, many of whom are claimholders and the possessors of considerable property, and who have, to the number of about 700, evinced their loyalty to their sovereign, by being among the first to respond to my invitation to all loyal and well disposed persons to come forward and enrol themselves in support of law and order, as reported in my despatch of this day's date, the malcontents have by enrolling a considerable number of foreigners and persons of disreputable character, such as recently discharged convicts, &c., and in the absence of the existence of any physical force at the disposal of the Government, been able to assume a most dangerous and formidable position, and to offer open and armed opposition to the officers of the law, when in the execution of their lawful and legitimate duties, as well as to attempt to intimidate the officers of the Law Courts with a view to prevent them from exercising their duties and functions.

5. Among other unlawful proceedings performed by the Association, I may mention that members of it patrol the streets on Sundays on the alleged pretext of maintaining order, and committed assaults upon coloured persons by forcibly depriving them of their walking-sticks and other articles of property, while such coloured persons were in the lawful pursuit of their ordinary avocations, and proceeding peacefully and quietly along the public streets.

6. Seeing that the great majority of our population are persons of colour, commonly denominated "natives," although many are British born subjects, and a considerable number have served Her Majesty in the Cape Mounted Rifles, and as levy men or volunteers on the Cape frontier during Kafir wars, while among them are also men from the western districts of the Cape Colony, where they held respectable positions as tradesmen and otherwise; and knowing as I did that such conduct on the part of the Association could not be carried on for any length of time without giving rise to serious riots, I was about to publish a notice calling upon them to desist, and informing the people of colour that if any of them who were so interfered with while they were conducting themselves peaceably and orderly would lodge complaints with the Public Prosecutor, they would receive the protection of the law, as the offending party or parties would be criminally prosecuted.

7. Just as this proposed notice was ready for publication, it came to my knowledge that a complaint had been laid by a coloured man against a member of the Association for such an assault as I have before mentioned, and as I considered that the result of that case was likely to accomplish all I proposed by a publication of a warning notice, I did not publish it. The individual charged with the assault, who turned out to be a subject of the Orange Free State, was tried, convicted, and sentenced to pay a fine of 40s., or to suffer a short period of imprisonment. The fine was paid.

8. I have entered into the foregoing explanations as introductory to the annexed copies of correspondence which have passed between Mr. Henry Tucker and this Government, which I now transmit for your Excellency's information.

9. This Mr. Tucker, as you are aware, is Chairman of the illegally formed Association before alluded to, and has in that capacity frequently attempted to force himself upon me with a number of his associates in order to be recognized (if possible) in their assumed office of the representatives of "the people."

10. On the 22nd of last month, I was waited upon by Mr. T. D. Barry, the Proprietors' representative, and Mr. H. J. Feltham, the Manager of the Branch of the Cape of Good Hope Bank at this place, who represented that in a conversation which had taken place that morning between Mr. Barry and Mr. H. Tucker, the latter had expressed a wish to obtain an interview with me in company with three or four of his associates, but that he hesitated to apply to me for it as he feared I should refuse; that at Mr. Barry's request Mr. H. Tucker had noted in writing (which was shown to me) who the individuals were that he wished to accompany him, and what the subjects were that they desired to discuss.

11. Although I felt that, having regard to the illegal position and the outrageous acts which Mr. Tucker and his associates had been guilty of, they ought not to ask for a personal interview with me, and that it was very doubtful whether I should not by complying be to some extent compromising myself and my Government, I thought that it was just possible if I exhibited a willingness to conciliate as far as was consistent with my public duty to do so, it might have a beneficial effect, and I therefore said that if Mr. Tucker and his friends made a joint application for an interview as private individuals to discuss the three subjects named in his written Memorandum, I would appoint a time for receiving them; but that it was clearly to be understood that I would not consent to receive them as a deputation from their Association, or in any other capacity than their own as individual members of the community, to which both Mr. Barry and Mr. Feltham replied that was all they asked and all they understood Mr. Tucker desired.

12. Your Excellency will perceive that, immediately Mr. Tucker became aware of what had occurred, he took advantage of it to again endeavour to force himself and associates upon me as a deputation from the Association, and to require me to discuss with them a variety of other subjects, most of which I had previously declined to so discuss with them, and that, in consequence, the interview which I had expressed my willingness to grant has not taken place.

13. I have appended an extract from the "Diamond News," in which was published certain semi-official letters that had passed between myself, Mr. Feltham, and Mr. Barry, in consequence of Mr. Tucker having asserted, in effect, that I had consented to receive him and his associates as a "Deputation," and not fulfilled my engagement, to which assertion some countenance had been lent by Mr. Barry, in a note addressed by him to Mr. Tucker.

14. I regret that I am not able to send some copies of the newspapers in which this correspondence was published, in consequence of none being procurable,—a consequence which I had not anticipated, or I would have procured some at the time of publication.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 11 in No. 22.

Sir,

Lieutenant-Governor's Office, Kimberley, April 22, 1875.

BY a telegram forwarded by Cobb and Co.'s coach to Colesberg on the 21st instant, for transmission thence by the electric telegraph, I have acknowledged the receipt of your Excellency's telegram of Friday last, the 16th instant, which reached me late on Monday night, and briefly replied to it.

You regret that the prosecution of Cowie for contravention of the laws which regulate the trade in guns and gunpowder was proceeded with, after you had expressed disapproval of it.

You consider that it will be thought, both at Cape Town and in England, that I have provoked a collision for which I was totally unprepared.

You approve of my having issued a Proclamation, calling upon all loyal subjects to enrol and co-operate with the Government in the maintenance of law and order; but think it was a mistake to proclaim men rebels with whom I had treated.

There will be time for you to learn my reasons for the course pursued before

the troops can start, and to judge whether there is sufficient danger to life or property to warrant your incurring the expense estimated by the General, as that which must be incurred by sending up the smallest detachments that he considers indispensable.

On these several points I proceed to remark, that I understood you to hold the opinion that if this Government did not feel itself in a position to arrest and proceed against the leaders of the disaffected, for the serious breaches of law committed by them, it was doubtful whether proceedings against their supporters or followers, for offences of a less degree of criminality, might not be undesirable; but I did not understand that your Excellency desired that no such prosecutions should be entered upon or carried on, under any circumstances, until we were in a position to take action against the ringleaders, or that you intended to put us in a position, at an early period, to take that action, if prosecutions against the others were stayed meanwhile.

As I have already reported, when it came to my knowledge, that a considerable illicit trade in arms and ammunition was going on, and that the disaffected portion of our inhabitants were procuring the best arms obtainable here in that way, I deemed it to be my duty to endeavour to discover, by the process which the law provided for the purpose, to what extent the laws were being evaded, and who the parties were that were carrying on the illicit trade, in order that, if possible, some check might be put to it.

I have already informed your Excellency of this, but I may again here mention that the result of the first inspection of stores was to discover that several licensed dealers appeared to be disregarding the laws, and that other persons, not licensed dealers, among whom was a canteen-keeper named William Cowie, who had been tried in the Cape Colony for fraudulent insolvency, had been guilty of a very serious breach of them, by being the medium of passing on a number of guns from a licensed house to Alfred Aylward, an ex-Fenian, whose previous career is fully described in the Secretary of State's despatch of the 26th January, and of the 3rd February last, and who was acting as captain of one of the "corps" of "Associationists," and was taking a very active part in their proceedings.

Information was lodged with the Public Prosecutor against all the persons who had been ascertained to have committed breaches of the law, or to have neglected its requirements, and all were proceeded against as the law directed, without distinction of persons.

I annex a Report by the Clerk of the Peace showing who were accused, what the charges against each were, and what resulted from the trials, by which you will perceive that, with the exception of Cowie, all submitted themselves to the law's decrees, and that in most of the cases explanations were given as to relieve the parties concerned from any charge of criminal intention, or of having been guilty of anything more serious than carelessness or neglect to observe the ordinary requirements of law, and that the officers of justice were satisfied that in those cases sufficient had been done to act as a caution to dealers and to induce them to observe greater regularity in future without pressing for convictions.

Before these prosecutions were entered upon, a case had been brought on in the Magistrate's Court by the Public Prosecutor against a man named South (also one of the Associationists) for a contravention of the laws respecting the enregisterment of native servants, and threats were publicly made by the organs of that party that in the event of his conviction he would not pay the fine nor be allowed to go to prison, and that any attempt to enforce either would result in open violence towards the law officers by members of the Association, who watched the proceedings armed with loaded revolvers.

During the progress of that case before the magistrate technical objections were raised by the agent for the accused, and afterwards the prosecution was withdrawn without any explanations being given in Court of the reason why it had been done. The Attorney-General informed me subsequently that the principal witnesses for the prosecution (who were natives, not easily discoverable) were not likely to be forthcoming and that the case was withdrawn on that account.

I felt considerable regret at this having been done and should have much preferred that the case should have been proceeded with openly until the magistrate had decided the technical objections, and if they had been over ruled, until it was found that the witnesses could not be produced, and that owing to their absence the charge could not be substantiated, for I felt certain that the withdrawal without full explanation in Court would be attributed to a feeling of fear on our side, which would

be turned to account by the malcontents; this I am sure was the result, it encouraged the evil disposed, and enabled them to draw to their side an amount of support which they would not have obtained if the Government officials had at that moment taken a firmer and bolder stand.

My previous communications have made you aware that a large number of men who are enrolled on the side of the "Associationists" consist of aliens, and also of other men of bad and desperate characters, the latter being either ex-convicts, men who had been criminally prosecuted in the Cape Colony and narrowly escaped conviction, and such like: while the Aliens consisted of men and boys from the neighbouring Republics, and Germans and foreigners of disreputable characters. I believe that no respectable German or other foreigner joined their ranks, all these were on the Government side.

A short time since I called upon the Inspector of Police for any information he could afford respecting the characters of men among the Associationists who were known to him as having been convicted of crime at this place, and obtained the annexed Report, which, owing to Mr. Percy not being in possession of or able to procure a list of the men enrolled, gives only the names of a few. There are, no doubt, many more of the same stamp.

To keep such men together, and to induce them to devote a portion of their time to parade and drill, a considerable amount of money was needful, and in order to obtain a sufficient supply, a system of extortion, by means of intimidation, was resorted to, which, if not checked, was calculated to produce very serious consequences. The apparent exhibition of weakness and timidity before mentioned, if it did not give rise to this, at least very much facilitated it, for the Associationists took courage, and believed that they might, with impunity, do whatever they liked, and individual members of the community feared that a refusal to comply with demands for money might be followed by other and worse proceedings against them or their property.

The system adopted was to send round members of the Association with books to "request" subscriptions, and to intimate to the persons applied to that, if they subscribed, their names would be entered on the Associationists' records as those of persons entitled to protection, and that if they refused to subscribe, that fact would also be recorded, and reported to the Council of the Association. By these means a considerable amount of money was, I am informed, obtained.

In proof of what I have here stated, I forward copies of letters on the subject addressed to the Secretary to Government by Mr. Sonnenberg, one of the largest general merchants, and by Mr. Dünkelsbühler, one of the principal diamond buyers, and also a specimen of the books which were issued by order of the council of the Association to their "authorized collectors," from which it will be seen that provision is made for registering subscriptions at one end of the book and "refusals" at the other.

If, under these circumstances, the Government had stopped the prosecution of Cowie, the effect, in my opinion, would have been disastrous in the extreme, and I should have felt my own conduct to have been quite indefensible if I had been a consenting party to it. I had no reason to suppose, loud as had been the threats of the organs of the Association, that the leaders of that body would venture to assemble their men, rifle in hand, to oppose the officers of justice in the execution of their duty, more especially in a prosecution under the arms and ammunition laws, in respect of which it had never been alleged that they had a grievance; and the Government had a sufficient force, consisting of police and aid by unarmed loyal subjects, to repress any less formidable demonstration. Even when the worst came to the worst, the firm stand made by the Government had its effect; the prisoner was held in custody until the law's requirements were satisfied.

But it has had a beneficial effect in other ways also: the Associationists have discontinued their parades and drills under arms, and also their practice of patrolling the streets, and of stationing men about in different parts to commit unlawful assaults upon coloured men, all of which proceedings, when in operation, were fraught with imminent danger, and might have resulted in serious class riots and bloodshed at any moment; while at the same time it has given confidence to the loyal inhabitants, and encouraged them to step forward in support of law and order, and to resist the demands of the Associationists upon them for pecuniary aid and moral countenance.

I need not here recapitulate the various unlawful acts and proceedings of the Associationists, which I have from time to time brought under your Excellency's notice.

You are aware that in consequence of those acts and proceedings, a Decree of the

High Court in an important civil suit has been held in abeyance, because of the threats of violence made use of by the Associationists in the event of that decree being attempted to be carried out, and that much pressure has been brought to bear upon the officers charged with the duty of criminal prosecutions, to induce them not to perform those duties when members of the Association were to be, or should be, proceeded against, for fear of the consequences.

I am not responsible for the hesitation of the "Proprietors," in whose favour the Decree was granted, to put it in force, but I have when spoken to by their Agent on the subject, rather encouraged delay than otherwise, because I felt that the case was one in which no support could be hoped for from any portion of the inhabitants all of whom regard the Proprietors with a certain amount of disfavour in regard to their increased demands for stand rents.

This I am sure was a state of things which you did not desire to see continued for a day longer than was utterly unavoidable.

The foregoing will, I trust, satisfy your Excellency that I did not "provoke" a collision, nor do anything that ought to have been so considered even by the Associationists themselves; but that, on the contrary, this Government has acted with great forbearance, and done no more than, under the circumstances, which I have narrated, it was its bounden duty to do.

The only other point that appears to be proper for me to remark upon here, is your observation that you considered it to have been a mistake to proclaim men rebels with whom I had treated; and I must confess that I do not very clearly comprehend how you meant that observation to apply. I had been in communication with Mr. Tucker previous to Monday, the 12th instant, on the subject of a desire on his part to obtain a personal interview with me, but I have not, to my knowledge, "treated" with him or with other members of the Association in any way since the attempt to obstruct the officers of justice in the execution of their duty by force of arms on that day; neither have I, so far as I know, done anything which can be construed into a condonement of the acts of which they were on that day guilty. I still think those acts amounted to the crime of rebellion, and I may add that I have reason to believe that in having so characterized those acts, I have checked proceedings which were fast leading to something still more serious.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 12 in No. 22.

Sir,

Attorney-General's Office, Kimberley, April 21, 1875.

AT the request of his Excellency the Lieutenant-Governor I have the honour to forward to you the inclosed report of cases tried before the Acting Resident Magistrate of Kimberley, for contravention of the Gunpowder Ordinance.

I have, &c.

(Signed) R. IRVIN SCHOLTZ, *Clerk of the Peace.*

The Hon. the Secretary to Government,
Kimberley.

Inclosure 13 in No. 22.

Sir,

Constabulary Office, Kimberley, April 22, 1875.

I HAVE the honour to furnish from memory, for the information of his Excellency the Lieutenant-Governor, a few of the names of persons now taking a prominent part in the armed demonstrations at Kimberley, who have either been convicted or otherwise have been for some time under the surveillance of the police. Had I an opportunity of personally inspecting the various corps, I have no doubt that I would be in a position to class very many more of the members of the Association among the following:—

1. Alfred Aylward, Captain and Adjutant, convicted for assault with intent, and sentenced to eighteen months' hard labour.

2. Schlichmann, Captain of German Corps, tried for fraud and acquitted, suspected illicit diamond buyer.

3. Eittling, Lieutenant of German Corps, tried for fraud and acquitted, suspected illicit diamond buyer.

4. Lowenburg, Sergeant of German Corps, suspected illicit diamond buyer, very indifferent character.

5. P. Crowley, Drill Sergeant, arrested on warrant for fraud and discharged.

6. Franz Dahl, twice convicted for buying diamonds from natives on several occasions, sentenced to twelve months' hard labour and twenty-five lashes.

7. Frank Cooper *alias* Frank Gann, supposed escaped convict from Dublin, frequently in gaol at Kimberley for assault, very bad character.

8. L. Grussendorf, tried and acquitted in the Colony for fraud.

9. P. Davis, fined 100*l.* for diamond buying.

10. William Robinson, private, tried and convicted, illicit diamond buying, sentenced to four months' imprisonment with hard labour and to receive twenty-five lashes.

11. John Brian, sentenced to three months' hard labour for theft and desertion of service.

12. William Smith, sentenced to eighteen months' hard labour and to receive twenty-five lashes for stealing a 59 carat diamond.

13. James Siddall, tried for theft and sentenced on 4th February, 1874, to three months' hard labour and twelve lashes; tried for theft and sentenced on 30th March, 1875, to three months' hard labour and twelve lashes.

I have, &c.

(Signed) GILBERT PERCY,

Inspector Commanding Griqualand Constabulary.

The Hon. the Secretary to Government,
Kimberley.

Inclosure 14 in No. 22.

THE following persons were summoned to appear before the Acting Resident Magistrate of Kimberley for contravening the Gunpowder Ordinances :—

1. Charles Zimmerman, charged with contravening section 23 of Ordinance No. 2 of 1853.

In this case it appeared that Zimmerman, who is not a dealer in guns, purchased a shop from one Jones, which shop, amongst other things, contained seven guns. He never sold any of the guns; in fact, he showed that he was not aware that there were guns in the shop. Jones, in rendering his return to the Issuer of Permits, showed that seven guns were in the possession of Zimmerman; consequently, Zimmerman was summoned for rendering the necessary return. The Clerk of the Peace withdrew the charge.

2. Joseph Few was charged with contravening section 23 of Ordinance No. 2 of 1853.

There was some irregularity on the part of Few, but on investigation the Clerk of the Peace found that a return of all the guns belonging to Few had been rendered through Viney and Deane, agents of Few.

3. Lewis and Marks, for contravening section 23 of Ordinance No. 2, 1853.

These persons are not dealers in guns. They had a consignment of fifty-three guns, but were not aware that they had to render returns. When called upon they obtained a stamped permit, and disposed of the guns to a dealer.

4. J. A. Richardson, for contravening section 7 of Ordinance No. 29 of 1874.

Richardson is in possession of two licences to trade in gunpowder, one for Natal Street and the other for the West End. Some time last month he removed the West End store to the Main Street but omitted to get the necessary licence of removal. When the magistrate inspected the premises no licence for the Main Street shop was produced, Richardson being unaware that he had to get a removal.

At the trial the matter was explained. The Clerk of the Peace was of opinion that there was no intention to defraud the revenue, and consequently withdrew the case.

5. Viney and Deane, for contravening section 7 of Ordinance No. 29 of 1874.

When the Resident Magistrate inspected the shop, the person in charge could not produce a licence. A summons was issued, which might have been avoided had inquiry been made at the Stamp Office, for at the trial Viney produced his licence.

6. Wormald and Cumming, for contravening section 7 of Ordinance No. 29, of 1874. (Same remarks as before.)

7. Simon Black, for contravening section 23 of Ordinance No. 2 of 1853.

Omitted to render returns for one month while away in the Colony. On his return immediately furnished them.

8. William Cowie, charged with contravening section 13 of Ordinance No. 29 of 1874.

In this case Cowie purchased twenty guns from J. B. Wilson and Co., the latter obtaining the necessary permits to deliver. On inspecting Cowie's premises the Magistrate was informed by Cowie that he had delivered the guns to one Aylward. No permit was obtained either by Cowie or Aylward; consequently a summons was issued against Cowie, who was found guilty on the summons, and sentenced to pay a fine of 50l., or, in default of payment, to be imprisoned and kept at hard labour for three (3) months.

Summonses have not yet been issued in the following cases:—

1. Brunton, for having in his possession 153 lbs. of gunpowder.

2. R. Kossuth, for having 59 lbs. powder.

The powder in both cases has been seized by the Government.

(Signed) R. IRVIN SCHOLTZ, *Clerk of the Peace.*

Inclosure 15 in No. 22.

Sir,

Kimberley, April 22, 1875.

I BEG to bring the following fact to your notice. A short time ago Mr. Von Schlichmann, the leader of the "German Corps," called upon me, asking me to subscribe towards the funds of the Combined Association. On my refusing to do so, he informed me that he has to put my name down as one of those declining their support. He then put my name in a book he had ready at the time, and I noticed there were already more names on the same page on which he wrote mine.

I have, &c.

(Signed) A. DUNKELSBUEHLER.

The Hon. the Secretary to Government,
Kimberley.

Inclosure 16 in No. 22.

Sir,

Kimberley, April 21, 1875.

I BEG to bring to your notice the fact that Mr. Jacob Dahl called at my office, and producing a book, demanded from me, in the name of the Combined Association, a subscription to further their objects. I at once refused, whereupon he threatened me, in the name of the Association, with the vengeance of the party he represented, informing me, at the same time, that I was a marked man, and that when the Government was kicked out, as kicked out it would be very shortly, I should repent my refusal. By his manner and bearing, I have no doubt he meant what he said, and more. I fear that if these men are allowed to assume the functions properly appertaining to Government, no respectable man with supposed Government tendencies would be safe, and his life and property would be at the mercy of such men as ex-convict Dahl.

I think it my duty to inform you of these facts, as myself and fellow respectable merchants depend upon the Government for support.

I have, &c.

(Signed) CHARLES SONNENBERG.

The Hon. the Secretary to Government,
Kimberley.

The man Dahl was sentenced by me, on the 25th June, 1874, to twelve months' imprisonment with hard labour, and to receive twenty-five lashes, for contravening section 17 of Proclamation of 10th August, 1872 (inducing a native servant to steal

from his master). He was released on the 24th December, 1874, the remainder of the sentence having been remitted by his Excellency the Lieutenant-Governor.

(Signed) R. K. N. D'ARCY, *Resident Magistrate.*
Resident Magistrate's Office, Kimberley, April 22, 1875.

Inclosure 17 in No. 22.

Sir,

Government House, Cape Town, May 1, 1875.

I HAVE the honour to acknowledge your despatches on the subject of the spirit of disaffection exhibited at Kimberley, and explaining the measures you had adopted for its repression.

2. Your Excellency justifies the proceedings in the case of the prosecution of Cowie, and alluding to a passage in a telegram which I transmitted to Colesberg, on first hearing that it had led to a show of armed resistance, denies that you "provoked" a collision.

3. You state that it was all the more necessary that the Government should assume a firm attitude in regard to its prosecutions under the Gunpowder Laws, because a charge that had previously been brought in the Magistrate's Court against a man named South (also one of the Associationists) for contravention of the laws regarding the enregistration of native servants had been withdrawn without explanation by the Acting Attorney-General in consequence of the absence of witnesses.

The expediency or in expediency of the course adopted to put down an insurrection must depend, of course, on the real character of the movement, and the amount of force that the authorities have at their disposal. It is far from my wish to criticize too narrowly what was done by your Excellency in face of a serious emergency; but I still retain the opinion I expressed to you privately the moment I heard of both the classes of prosecutions referred to, that in the position in which the Province stood, the long continued political discontent to which you advert having culminated a few days before in an armed demonstration, they were calculated to lead to very serious consequences; whereas, even if successful, they could only tend to irritate the the diggers, already excited by the decision and proceedings in the Recorder's Court in the case of Ling, and excite increased sympathy in those who had hitherto held aloof from the Association.

4. To me it certainly seems to say the least exceedingly imprudent under such circumstances to have instructed the Surveyor of Mines to go round accompanied by two armed and mounted policemen to visit the sorting grounds of some of the principal malcontents to ascertain whether their native servants were duly registered, and scarcely less so to have followed up the failure in this case by an attempt to punish another of the leaders for a past infringement of the law relating to fire-arms, the due enforcement of which seems to have been previously very little attended to by the officers charged with the duty.

5. It was in my judgment a greater mistake still when the needless attempt to enforce immediate execution of the sentence in that case produced armed opposition, which was only surmounted by a species of compromise, to proclaim all concerned in the matter "rebels," and thus cut off all hope of their return to more loyal and peaceable courses.

6. On the other hand, I cannot but think that more satisfactory and beneficial results would have ensued if your Excellency had availed yourself of the proffered mediation of Mr. T. D. Barry, M.L.A., and Mr. Feltham, the Manager of the Cape of Good Hope Bank, in the first place, and that of the clergy of all religious denominations who came to you later, none of whom would assuredly have undertaken such a mission if they had considered the object of the Association to be so violent and lawless as you assume them to be, or that the members really had no grievances of any kind to complain of.

7. I do not mean by this to express any opinion as to the reasonableness or sufficiency of the suggestions as to an interview on the Resolutions of which they were the bearers as to discontinuance of drilling and parading; but it does seem to me that the opportunities thus afforded were well calculated to have enabled you not merely to have intimated your intention of recommending to the consideration of the Legislative Council any resolutions that might be presented against the Ordinances complained of, but to have secured the influence and co-operation of gentlemen who could have no desire to encourage rebellion, or countenance the ill-treatment of the native population,

in favour of a counter-proposition for the immediate abandonment of all military organization on the part of the Association.

8. My own conviction is that it is not even yet too late to bring about so desirable a consummation, and I shall take no steps for the actual dispatch of Her Majesty's troops from hence until I am satisfied that this is no longer to be hoped for.

I have, &c.

(Signed) HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 18 in No. 22.

Sir,

Kimberley, March 24, 1875.

HAVING been informed that his Excellency is not unwilling to receive a deputation to discuss matters of grave and general importance, I have the honour to request that you will acquaint his Excellency that the following gentlemen desire an interview with him, viz.: Messrs. W. Ling, G. R. Blanch, J. G. Ross, H. Tucker, and R. Jamieson, upon the following subjects, viz.:—

1. Adjudication of police cases.
2. Penalties for illicit diamond buying.
3. Necessity for a Vagrant Act.
4. Camp regulations for security and order.
5. Alterations in the issue of certain licences.
6. Amendment of Ordinance No. 27.
7. Amendment of Ordinance No. 18.
8. Amendment in regard to registration of servants, and fees payable thereon.
9. Relative position of proprietors and inhabitants of the several camps.
10. Obnoxious position of certain officers of Government and public functionaries.
11. Difficulties threatening out of native and other claims to land.

You will oblige by informing me if his Excellency will receive the deputation now named, and when it will be convenient to receive them.

I have, &c.

(Signed) H. TUCKER.

The Hon. J. B. Currey, Esq.,
Secretary to Government, Kimberley.

Secretary to Government's Office, Kimberley,
March 25, 1875.

Sir,

In acknowledging the receipt of your letter of yesterday's date, I am directed by the Lieutenant-Governor to acquaint you that you appear to be labouring under some misapprehension as to what, under present circumstances, his Excellency had expressed his willingness to do. I am therefore to state what it was that induced his Excellency to express an opinion as to his receiving yourself and certain other gentlemen of this place.

2. On Monday afternoon last his Excellency was waited upon by Mr. T. Barry, the representative of the Proprietors of Vooruitzicht, and Mr. H. Feltham, the Manager of the Cape of Good Hope Bank, who represented that in a conversation which had passed between Mr. Barry and yourself that morning, you had expressed a desire for a personal conference with the Lieutenant-Governor on certain subjects which were described in a Memorandum written by yourself, viz.:—

"1. Registration of servants to be altered.

"2. Vagrant Law to be enforced, and better order, &c., to be established on Sundays.

"3. Diggers prepared to assist Government to the fullest extent in the matter."

3. Mr. Barry and Mr. Feltham desired to ascertain whether, if an application were made by yourself and certain three or four other gentlemen for an interview, in

your individual capacities as residents, to discuss the subjects named, his Excellency would be willing to see you.

5. To this his Excellency replied, that he never had refused to receive and confer with individual members of the community, who desired an interview with him on lawful and legitimate subjects, and as he regarded the subjects you wished to discuss to be such, he had no objection to confer with you and the other gentlemen thereon, but that it must be distinctly understood that his Excellency was not prepared to receive you and them except as private members of the community, and that in any application you make for an interview, it must be distinctly stated that you apply in that capacity only, and that the subjects previously mentioned must be stated to be those to be discussed.

6. In your letter under acknowledgment you represent that you had been informed that his Excellency is not unwilling to receive a "deputation to discuss matters of grave and general importance," and represent that the following gentlemen, Messrs. W. Ling, G. R. Blanch, J. G. Ross, R. Jamieson, and H. Tucker, desire an interview to discuss subjects considerably in excess of those above mentioned, and most of them materially different therefrom.

7. As several of the matters now brought forward by you are such as, if the Lieutenant-Governor were satisfied that alterations were needed, would render legislation upon them necessary, his Excellency is of opinion that the proper course to be adopted is to represent by letter or by Petitions what changes you deem to be needful and proper, and to solicit attention thereto. If, having done this, the Lieutenant-Governor concurs in your view, he would be prepared to submit measures to the Legislative Council thereon. On the other hand, if he differed from you, the Council being now in Session, it would be open to you and those who hold similar opinions to Petition the Council to effect the alterations you desire.

8. This applies to the following subjects mentioned in your letter :—

Penalties for illicit diamond buying ;
Alterations in the issue of certain licences ;
Amendment of Ordinances Nos. 18 and 11.

9. His Excellency does not understand the points you propose to discuss respecting the following two matters :—

Adjudication of police cases ;
Relative positions of proprietors and inhabitants of the several camps ;

and would desire to have particulars thereof before entering upon a verbal discussion of them.

10. With regard to your wish to discuss questions with regard to what you allege to be the "obnoxious positions of certain officers of Government and public functionaries," his Excellency would under any circumstances decline to discuss such questions with you, unless he is first informed in writing who the officers and functionaries are and of what acts of theirs you complain.

11. In respect of what you allege to be the "difficulties threatening out of native and other claims to land," his Excellency desires me to say that he does not admit that any such difficulties are threatening, but that as a Draft Ordinance is now before the Council to provide for the proper adjudication of all disputed land cases, he will be prepared to receive and give due consideration to any representations or suggestions which you or others may be disposed to favour him with upon the provisions of that measure.

12. There remain three other subjects to be alluded to, viz. :—

The necessity for a Vagrant Law ;
Camp regulations for security and order ;
Amendment in regard to registration of servants, and fees payable thereon.

These the Lieutenant-Governor considers to be in substance the subjects named by Mr. Barry as those on which you desired to have an interview, and with respect to which his Excellency expressed his willingness to receive you and certain other gentlemen, on receiving an application from you and them, as private individuals, soliciting such an interview.

13. His Excellency is of opinion that, as a rule, it is best that such discussions

should be in writing to avoid misunderstandings, but he is willing in this instance to depart from what he considers the better course, and upon receiving a joint application from yourself and the other gentlemen named in your letter, expressive of a desire for an interview, as private gentlemen, to confer on the three last-named subjects, he will name a time for receiving you.

14. As regards the other matters referred to in your letter under acknowledgment, it is of course open to you to address the Lieutenant-Governor in writing thereon, and if on receipt of such communications it shall appear desirable to his Excellency to confer with you verbally, an intimation to that effect will be conveyed to you, or an application for an interview may be made on your part.

I have, &c.

(Signed) JOHN B. CURREY, *Secretary to Government.*
Henry Tucker, Esq.

THE GOVERNMENT AND THE ASSOCIATION.

Sir, *Secretary to Government's Office, March 25, 1875.*

I am directed by the Lieutenant-Governor to acknowledge the receipt of your letter of the 20th instant, transmitting a communication addressed by you to Governor Sir Henry Barkly, G.C.M.G., K.C.B., and to inform you that the same has been duly forwarded with the document which it inclosed.

I have, &c.

(Signed) J. B. CURREY, *Secretary to Government.*

Mr. Henry Tucker,
West End, Kimberley.

Sir, *Kimberley, March 27, 1875.*

I beg to acknowledge receipt of your letter of the 25th, which did not reach me till late on the evening of that day.

It is due to the gentlemen forming the proposed deputation to state that on Monday last Mr. T. Barry called on me, in company with Mr. G. R. Blanch, and enquired whether a deputation would now wait on the Lieutenant-Governor if two or three gentlemen unconnected with the Government should first ascertain that he was not unwilling to receive it.

On assuring him of my readiness personally to accompany such a deputation, Mr. Barry asked which were the most pressing points for settlement. I informed him that the question of registration of servants and fees payable thereon threatened at any moment to bring about a collision; that this danger arose out of Mr. Ward's conduct on the previous Friday week, when, in company with armed men, he interfered with several diggers and their servants while engaged at their lawful work.

I informed him further that the Vagrant Act was not enforced by the police. He suggested that the Government had but few police, and perhaps were not in a position to carry it out. I replied that the diggers would undoubtedly assist the Government, if required, but that I believed they would not put up with annoying and vexatious attacks of the kind named, whilst hundreds of men engaged in no honest employment remained undisturbed.

Further conversation took place, in the course of which several matters were mentioned as requiring speedy attention, but it was thought that the three points already referred to would be sufficient to note at the moment, and I made a pencil memorandum to that effect for Mr. Barry, together with the names of the gentlemen who might possibly wait on his Excellency.

On Tuesday afternoon I was informed by Messrs. Barry, Feltham, and Robinson that they had seen the Lieutenant-Governor, who had expressed his willingness to receive the gentlemen named; provided they would send him a letter stating the subjects for discussion. I lost no time in conferring with Messrs. Ling, Jamieson, Blanch, and J. G. Ross, who consented to meet his Excellency, but desired, in order to save time, to add other than the three subjects already indicated for discussion, whereupon I framed and forwarded my letter of the 24th, the reply to which I now proceed to consider.

1st. I am directed to inform his Excellency the Governor that we do not consider

that he is entitled to gather from my letter of the 24th that we wished to be received as others than "private individuals," at the same time we have yet to learn that it not usual for deputations from political and other societies to be received by Government in the various dependencies of the British Empire, as well as by the Home Government.

2nd. As his Excellency's objections to discuss the questions numbered 1, 3, 5, 6, 7, 8, 9, 10, and 11 rest partly upon the ground that "they are in excess of and most of them materially different from," the three points agreed with Messrs. Barry, Feltham, and Robinson, and partly because he desires further particulars, I am directed to state some of the reasons which weigh with us for including those subjects for discussion with his Excellency.

No. 1.—"Adjudication of police cases." There is so much trouble and delay in the trial of prisoners in the Court of the Resident Magistrate, that many prisoners are allowed to escape, because the complainant and witnesses cannot afford to lose the time which would be taken up in prosecuting them. We believe that we can suggest a plan by which this business may be expedited without additional charge on the revenue.

No. 2.—"Penalties for illicit diamond buying." The punishment for this crime should be made, in our opinion, confiscation of property and expulsion from the territory. We have heard, occasionally, of persons convicted of this crime returning to the diamond trade.

No. 3.—"Alteration in the issue of certain licences." The several licences in connection with diamond digging, selling, &c., viz., Mining Certificates, Claim Licences, Debris Sorting Licences, Diamond Buying Licences, Brokers' Licences, have been so indiscriminately issued, without regard to character, that the very foundation of the prosperity of the community has been undermined. We believe that an Act to provide for the election of a Board for the issue of such licences or certificates, upon which only licences should be issued, would be of incalculable benefit.

No. 6.—"Amendment of Ordinance No. 21." Having regard to the convenience of diggers, who find it to their advantage to sell diamonds at their own residences, and also in justice to a large number of deserving men who gain an honest livelihood by purchasing of diggers in this way, and against whom no case of illicit buying has ever been proved, this Ordinance should, in our opinion, be amended, in so far as it prohibits the buying of diamonds except in offices.

No. 7.—"Amendment of Ordinance No. 18." It is feared that the heavy increase in canteen licences may have the effect in some instances of driving the less respectable canteen keepers to illicit dealing in diamonds, and that, generally, it has had the effect of causing a smuggling trade to be carried on in wines and spirits, altogether beyond police surveillance. Further, with increase of licence to such an extent, to deprive the respectable canteen keeper of the privilege of carrying on the sale of other commodities is, in our opinion, oppressive, excepting always the right to deal or traffic in diamonds. These, we are of opinion, are the principal amendments required in this Ordinance.

No. 9.—"Relative position of proprietors and inhabitants of the various camps."

We are of opinion that a discussion with his Excellency on this matter might serve to allay the alarm which now prevails regarding further exactions, on diggers, by the proprietors of the several farms on which public diggings have been proclaimed; in the shape of—stand licence for private residence; increase of business stand licences; increase of digging licences; rights to debris, water, and free sorting places, &c. This subject being the more important, as we believe that a collision will be imminent upon any attempt at exactions of the above characters.

No. 10.—"Obnoxious position of certain officers of Government and public functionaries."

We regret that circumstances should warrant the opinion that the whole community, with scarcely an exception, consider that the present unhappy differences which undoubtedly exist between the Government and the people are due, to a great extent, to the presence and advice, in the Executive Council, of the Honourable J. B. Currey, the Secretary to Government; and we believe that general satisfaction would be given by the promotion of that gentleman to some suitable appointment, and the advent of a Secretary to Government whose public utterances and correspondence would prove more acceptable.

Further, we consider that Mr. Ward, the Mining Surveyor, has rendered himself obnoxious to those with whom he is more immediately brought in contact in the discharge of his professional duties, by proceeding, in company with armed men, on a

recent occasion, in the molestation and disturbance of diggers and their servants while engaged in their lawful occupation, under the pretence or assigned reason of inquiries as to the registration of servants. With regard to that gentleman's mode of discharging his duties as Mining Surveyor, the Mining Board will most likely be able to inform his Excellency, if they have not already done so.

No. 11.—“Difficulties threatening out of native and other claims to land.”

On this point we see cause for great apprehension, from the fact that a large number of natives are said to be resident, and to have resided for a considerable time, on land already leased, and proposed to be leased by Government, solely in the supposed rights of Waterboer,—which rights are not acknowledged by the tribes in occupation. If, however, his Excellency sees no ground for apprehension in this matter, we are not desirous to press any further discussion on the subject.

Having now placed before his Excellency some of the grounds on which we deemed that an interview with him should embrace also the subjects, added to the three points originally proposed to be discussed, we refer to the alternative suggested by his Excellency, of “Petition to the Legislative Council.” This would, in our opinion, in the present constitution of the Council, be no more and no less than an appeal to the Executive Members, who hold the majority in the Council practically. It is, therefore, not surprising that we prefer the simpler plan of direct conference with his Excellency.

I am directed, in conclusion, to state that we did not anticipate the necessity for lengthy correspondence, and it is not our desire to continue it. We have discharged what we feel to be our duty, by endeavouring to meet what was represented to us as the willingness of his Excellency to meet us and discuss questions of importance. Our judgment may be at fault, but in “our individual capacities as residents,” as “private members of the community,” as “individual members of the community,” as “private individuals,” and as “private gentlemen,” we believe that we are acquainted with the working of the measures deprecated, and we respectfully state that it is our intention to press, by all means in our power, the reforms indicated.

Trusting that his Excellency may be favourable to the representations now made for an interview with the gentleman named in my letter of the 24th instant, I have, &c.

(Signed) HENRY TUCKER.

The Secretary to Government,
Kimberley.

Sir,

Secretary to Government's Office, March 31, 1875.

I am directed by the Lieutenant-Governor to acknowledge the receipt of your letter of the 27th instant.

2. The Lieutenant-Governor regrets that any misunderstanding should have arisen out of the personal communication between Mr. Barry and yourself on the subject of a proposed interview with his Excellency; but he is aware that such mistakes are likely to occur, and on that account considers it better that discussions upon important subjects should be committed to writing.

3. The memorandum which Mr. Barry showed the Lieutenant-Governor in your hand-writing, was not written in pencil but in ink, and the Secretary to the Government's letter of the 25th instant, contained an exact transcript of it.

4. His Excellency is quite aware that it is by no means unusual for deputations from political and other associations, if constitutionally formed for lawful purposes, to obtain interviews with Government; and I am to remark that the Lieutenant-Governor has never refused to receive such deputations, but, on the contrary, has been glad to confer with them when they desired conferences.

5. His Excellency is quite willing to receive and give his best attention to any suggestions for amendments in the laws which regulate the trial of police cases, by which inconveniences may be lessened without causing additional expense. One main principle, however, must be kept steadily in view, viz., to guard strictly against the liberties and rights of the subject. Expedition and convenience would, in the Lieutenant-Governor's opinion, be dearly purchased by a departure, in however small a degree, from this principle. In order that this very important subject may be carefully and properly discussed, his Excellency deems it expedient that it should be done in writing; and I am to express his regret that you have given no indication of the process by which the result aimed at is to be attained.

6. The laws at present in force for punishing persons of illicit diamond buying, provide heavy penalties, no fine being optional, even for a first offence, and a second conviction involving imprisonment, with or without hard labour, for not less than three years. If it be desired to review this measure during the present session of the Legislative Council, that course is open to you; but as regards your proposals of expulsion from the Province, and confiscation of property, the former would, in the Lieutenant-Governor's opinion, not find favour with the Home Government, as such criminals must be sent into one of the adjoining Colonies or States, or amongst the independent native tribes, and the latter his Excellency thinks would be ineffective, as property could be so easily transferred in the event of a conviction. The object to be aimed at is the prevention of the offence as far as practicable, and it was with that idea that the Legislative Council last session passed the Ordinance No. 21, which, if carried out properly and duly enforced, would, his Excellency believes, effect much good; and he was not prepared to find objections raised against such of its provisions as aim at preventing the buying of diamonds at all times, and in all places (which is admitted to be the great source of temptation) by persons who wish to see the illicit traffic suppressed. The wishes of claim-holders, however, should have weight in such a matter, and if a request were made by a majority of them for an alteration in the law, their opinions would receive every attention at the hands of his Excellency.

7. The Lieutenant-Governor is aware that the relative positions of the proprietors of quit-rent titles to diamondiferous farms, and the claim and stand-holders is unsatisfactory, and he has endeavoured by legislation to pave the way to something better, but without success hitherto. It is not unknown to you, however, that a test case is now pending in the High Court on this subject, and until that is decided his Excellency considers that discussions between himself and the claim-holders thereon are undesirable. He is, however, prepared to give his attention to any suggestions that may be furnished in writing.

8. The laws in force for regulating the issue of licences in connection with diamond-digging, selling, buying, and broking, provide that—

(1.) Miners' certificates can only be obtained by persons who are above the age of 16 years, and of good character, and become forfeited if their holders are convicted of unlawful dealing in diamonds, or of any of the offences set forth in section 9 of Proclamation No. 24 of 1873.

(2.) Claim-licences can only be held by certificated miners.

(3.) Licences to sort *débris* may also only be issued to certificated miners, and the issue of diamond-buying and broking licences is regulated by law.

The law on these subjects contemplates the observance of impartiality, and all who comply with the conditions of the laws are entitled, irrespective of class or colour, to obtain such licences. The Lieutenant-Governor dissents entirely from the idea that their issue could safely or properly be left to the discretion of an Elective Board, and holds that such duties must continue to be performed by Government functionaries; and his Excellency is therefore not prepared to encourage legislation on these subjects in the direction indicated. Some three or four months ago Mr. Ling had an interview with the Lieutenant-Governor, when he made the same representations, and urged that the issue of such licences should be regulated by a Board. He admitted candidly that his chief reason was, that such a Board would exclude coloured persons from the privilege of obtaining licences. His Excellency then told him that, even if he himself entertained similar views, and believed it to be right to exclude Her Majesty's coloured subjects from privileges which her white subjects enjoyed—views which are not held by his Excellency, who, on the contrary, holds opinions in direct conflict with any such scheme—he was precluded by the Royal Instructions from making such a distinction. To this Mr. Ling replied that he was aware of the prohibition in the Royal instructions, but that he thought that his Excellency might evade that and meet the wishes of “the people” by entrusting these duties to a Board, which would deprive coloured people of the privilege. Possibly it has not occurred to you and your friends to consider that the effect of the action which you desire to be taken would be to place in the hands of an irresponsible body, not alone the power to deprive coloured people of their lawful rights, but the power to deal in the same way with any white people who might be obnoxious to them, and, in fact, to place in their hands the power to regulate an important item of the public revenues of this Province, and to appropriate the mines and the trade in diamonds to themselves and their friends. The Government has stood in the way of the proprietors of farms, supposed to contain public diamond fields, exercising such functions as those you now desire to have conferred on an Elective Board, but if it were necessary to choose between the one and the other, his Excellency

would be of opinion that the said proprietors would have the greater right to be considered in the matter.

9. If the Lieutenant-Governor could suppose you correct in your assertion "that the whole community, with scarcely an exception, consider that the present unhappy state of differences which exists between the Government and the people are due in a great extent to the presence and advice in the Executive Council of the Honourable J. B. Currey, the Secretary to Government," his Excellency would be of opinion that the community had arrived at conclusions from very unsound foundations and insufficient information. The Lieutenant-Governor does not, however, admit or believe that there are differences between the Government and "the people;" the differences are between the Government and a certain class of the community which desires to arrogate to itself powers and functions inconsistent with the rights and liberties of the whole population; that, under such circumstances, individual public functionaries who perform their duties honestly and fearlessly, should occasionally be unpopular with portions of a community with whose personal interests or prejudices they come in contact is by no means an unusual occurrence. His Excellency observes that no specific accusations of dereliction of duty are alleged against either of the two officers named as obnoxious, but it would rather seem that it is because they do their duties with zeal and efficiency that they are complained of, and the Lieutenant-Governor considers that Mr. Ward did no more than his duty on the occasion referred to in your letter under acknowledgment.

I have, &c.

(Signed)

T. R. MERRIMAN,

For the Secretary to Government.

Henry Tucker, Esq.,
Kimberley.

Sir,

Kimberley, April 6, 1875.

I have the honour to acknowledge your letter of the 31st ultimo.

2. Regarding the misunderstanding which his Excellency points out between Mr. Barry and myself, I have the honour to inclose a letter from that gentleman of this day's date, which I presume will finally dispose of the subject.

3. I am directed to express the satisfaction which is felt at the admission, though somewhat tardy, of his Excellency, "that it is by no means unusual for deputations from political and other associations, if constitutionally formed, for lawful purposes, to obtain interviews with Government." At the same time, I am directed to take exception to the statement, "that the Lieutenant-Governor has never refused to receive such deputations, but on the contrary has been glad to confer with them when they desired conferences." Since the month of July last his Excellency has repeatedly refused to receive such deputations, preferring written communications. If such refusals were based upon the impression that the associations were unlawful in character, it was manifestly the duty of the Government not only to refuse to receive deputations from them, but to decline correspondence with, and even to proceed against those who formed them. It must surely be taken as a guarantee of the lawful aim of an association when it respectfully seeks conference with the Government upon the redress of grievances.

4. If proof were wanting of the advantages of a conference in preference to written communications, where there is an honest desire on both sides for the settlement of questions under discussion, it would be shown in the misapprehension of his Excellency regarding the necessity for greater expedition in the trial of police cases at Kimberley, referred to in my letter of the 27th ultimo. No alteration of the laws, as apprehended by his Excellency, is referred to, but in the machinery by which the laws are administered. As his Excellency has been pleased to express a desire for further particulars, I am directed to point out that, considering the great falling off in the population at Dutoitspan, the duties of the Magistrate at that place and Kimberley might with advantage be so combined as to relieve the great pressure of business in the Magistrate's Court at Kimberley. If his Excellency deems such an alteration desirable, one of these officers might be appointed to administer civil cases at the two seats of magistracy, and the other officer for police jurisdiction at both places. The Court days and other details might be further considered.

5. As to "the prevention of the offence of illicit diamond buying," I am directed to state that, in the opinion of the proposed deputation, this remedy is not to be attained by restricting and hindering business transactions of those who are duly licensed as provided by Ordinance No. 21,—but to a great extent it might be checked

by due care in the issue of licenses. Taking the law on the subject to be that which is laid down in your letter of the 31st ultimo, it is to be feared that in this respect the Government is the most notorious law-breaker on the Fields. Licences connected with mining for and dealing in diamonds having been indiscriminately issued with greater regard for the public revenue than for the character of the applicants, a wide door has been opened for the robbery of and traffic in stolen diamonds. Seeing that the Government has signally failed in its duty in the careful issue of licenses, it becomes legitimate matter for inquiry whether some better mode of regulating such issue may not be found. I am directed to suggest that an elective Licensing Board would meet the case, without undue injury to the revenue, and without danger of the serious consequences arising which his Excellency appears to apprehend, it being not quite credible that the integrity and ability for such duties is concentrated in the Executive. At least, it is to be expected that such a Board would work as well as the Board of Justices of the Peace who determine the issue of licenses to deal in wines and spirits, many of whom are wholesale dealers in those articles, and several of whom are directly interested as the proprietary of canteens.

6. Regarding "expulsion from the territory for illicit diamond buying," his Excellency appears to have overlooked the fact that until recently this law was in force, and should should it be again reverted to, the Home Government would not therefore raise an objection suggested by his Excellency, "as such criminals must be sent into one of the adjoining colonies or states, or amongst the independent native tribes." Seeing that diamond buying is not a part of the trade in any adjoining country, those who proved to be illicit buyers of diamonds in Griqualand West, might in other places prove to be not objectionable citizens. Whether the confiscation of property would or would not prove effective, in addition to expulsion from the territory, in checking the alarming spread of this evil, would be best ascertained by legislation to that effect. It is impossible to overstate the losses arising out of this traffic which weigh so heavily on those engaged in mining.

7. His Excellency's reference to Mr. Ling's interview with him "of some three or four months ago," is conveniently included in the letter now under reply; but, upon the authority of Mr. Ling, I am to state that it lacks that degree of accuracy which would entitle it to further remark.

8. His Excellency having broached the subject of the treatment, rights, and privileges of "Her Majesty's coloured subjects," I am directed to state that such has been the amount of "liberty" allowed to this interesting portion of the community, that it has resolved into "license" of the most disastrous description. No attempt is made by Government to control the hordes of unemployed natives residing in the outskirts of the camps, where haunts of vice and debauchery exist, and are supported by the proceeds of the stolen property of miners. It is difficult to understand the object of the Government in this culpable laxity; if it be to encourage the formation of another Kat River Settlement, it is likely to be eminently successful, and the ultimate consequences may not be unlike those which arose out of that ill-starred experiment. Whether regard be had to the demoralising effect upon the natives, the insecurity of life and property, the disregard of order and decency in the public streets, or the ruinous consequences to the industrious, it is improbable that a Government which so disregards its chief duty should either be feared by criminals or be respected by honest people.

9. In one respect, I am directed to apologize for an inaccuracy in my reference to Government officers, who were stated in my letter of the 27th ultimo to be obnoxious "to the whole community, with scarcely an exception." I should have excepted the outside circles of the camp already described in clause 8, who fully appreciate and avail themselves of the "liberal policy" of the officers referred to, whose "popularity" in those quarters, it is believed, remains undiminished.

10. I am directed to notice the delicate reference by his Excellency to "a class of the community which desires to arrogate to itself powers and functions inconsistent with the rights and liberties of the whole population," and to observe that it affords the gentlemen forming the proposed deputation pleasure to believe that his Excellency does not refer to the "Diggers Protection Association," which has so promptly aided in maintaining order at a time when the immense taxation and revenue of this territory has been so applied that it has failed to maintain a sufficient force for ordinary police purposes and patrol. His Excellency may be assured of the continued loyalty of the people to Her Majesty the Queen, however desirous they may be to see a sweeping reform in, and lessening of local establishments for, purposes of government.

In conclusion, I beg to bring to his Excellency's notice, that the closing paragraph

of my letter of the 27th ultimo has received no answer, consequently it is inferred that his Excellency's expressed "willingness to receive a deputation" has somewhat changed.

I have, &c.
(Signed) HENRY TUCKER.

T. B. Merriman, Esq.,
(For the Secretary to Government),
Griqualand West.

My dear Sir,

Kimberley, April 5, 1875.

"In reply to your letter of the 1st instant, asking me to inform you if the account given in your letter to his Excellency the Lieutenant-Governor of the conversation which took place between you and me on the subject of his Excellency's willingness to receive a deputation, is or is not correct, or if there has been any misunderstanding on the subject, I can only answer in the affirmative, except that you were mistaken with reference to the memorandum made by you, it being written in ink, and not in pencil, as you supposed, and was given to me at my special request for my guidance.

Yours faithfully,
(Signed) T. D. BARRY.

Henry Tucker, Esq.,
Kimberley.

*Secretary to Government's Office, Kimberley,
April 7, 1875.*

Sir,

I am directed by the Lieutenant-Governor to acknowledge the receipt yesterday afternoon of your letter of the 5th instant, with which you forwarded one addressed to you by Mr. T. D. Barry.

2. Although Mr. Barry has not expressed himself very clearly in that letter, his Excellency understands him to say that, with one exception, you had not in your letter of the 27th ultimo incorrectly represented what took place between him and yourself on a certain occasion. That, in so far as his Excellency is concerned, is unimportant, as it in no degree effects the allegation contained in my letter of the 31st ultimo, that there had been a misunderstanding as to what his Excellency had expressed his willingness to do under certain circumstances.

3. Turning to your letter under acknowledgment the Lieutenant-Governor regrets to find that taking his Excellency's statement, that he has never refused to receive deputations from associations constitutionally formed for lawful purposes, you attempt to make that statement appear inconsistent with the fact of his declining to receive deputations from bodies which, in his Excellency's opinion, have been called into existence for purposes which he considered unlawful. As regards corresponding with individual members of such associations, the Lieutenant-Governor is prepared to admit that he might properly decline doing so, but he has always been actuated by a desire to meet and consider any reasonable complaints and to aid in dispelling any misapprehensions, and in previous cases with other persons who have taken unconstitutional measures to affect certain objects, and particularly in the present instance with yourself. His Excellency has been anxious that the motives which would have urged him to decline communication with any members of unconstitutional associations should not be open to possible misconstruction. You will not, however, fail to notice that in such correspondence the Lieutenant-Governor has carefully abstained from in any way recognising the illegal association with which the person addressing his Excellency may be or have been connected.

4. In respect of the duty of the Government towards the members of such associations, the Lieutenant-Governor must exercise his own discretion, but his Excellency by no means admits that an expressed desire to confer with the Government is a guarantee of the lawful aims of any proposed deputation or of the association it may profess to represent.

5. The Lieutenant-Governor has a very clear recollection of what occurred at the interview between Mr. Ling and himself on the occasion referred to in my letter, and I am instructed to say that I have correctly represented what passed respecting the desire expressed by Mr. Ling that the issuing of licences to search for diamonds should be entrusted to an Elective Board. His Excellency is, however, not surprised to find that Mr. Ling shrinks from admitting the full force of what he then undoubtedly gave expression to.

6. The topics which admit of discussion in your letter under acknowledgment are:—

- (1.) The hearing of police cases at Kimberley.
- (2.) The appointment of an Elective Board to issue all licences in connection with diamond digging and diamond dealing.
- (3.) The liberty at present allowed to coloured persons.

7. These are all subjects in which legislation would be necessary to carry out the views which you appear to entertain.

8. With reference to the proposal to have two Resident Magistrates, one for civil and the other for criminal business, an Ordinance would be required to enable two Resident Magistrates to have jurisdiction in the same district, and the Lieutenant-Governor has arrangements in view which he believes will make such legislation unnecessary.

9. The Lieutenant-Governor's opinion on the subject of Elective Boards for the purpose of issuing all licences connected with the diamond industry has already been conveyed to you, but his Excellency cannot accept your statement that such a Board would work as well as the Board of Justice which regulates the issue of wine and spirit licences. There is a vast difference in the Lieutenant-Governor's opinion between allowing a Board of Justices and other persons, specially appointed by the Governor for the purpose, to regulate the granting of licences to deal in wines and spirits, and the conferring of powers upon an Elective Board to regulate the issue of licences to search for diamonds in public diamond mines. The reasonableness of the one and the unreasonableness of the other are too obvious to need further comment.

10. As regards the liberty, or as you term it the licence, of coloured persons, the Lieutenant-Governor is not prepared to admit either that there are "unemployed hordes" residing in haunts of vice and debauchery in the outskirts of the camp, or that the Government makes no attempt to control the natives. The whole camp is patrolled by the police, and the number of arrests made shows that the work is not negligently performed. Any measures subjecting the natives to exceptional treatment are forbidden by the Royal Instructions, and legislation with such an object would consequently be fruitless. That under existing conditions there should be large numbers of natives here, and that earning high wages, some of them should give way to the temptation of drink is inevitable; but as a rule the coloured population is well behaved, and in its general observance of law and order contrasts favourably with the recent conduct of some sections of those who ought to set a better example. His Excellency is of opinion that any severe measures which would tend to frighten the native population away, would be a serious injury to the diggers as a class, though it is possible that the fall in value of claims which must follow on a scarcity of labour would not be unacceptable to persons interested in the formation of companies to buy up the mine.

11. Having thus briefly alluded to such of the subjects touched on in your letter as the Lieutenant-Governor could under any circumstances discuss, I am directed to conclude by saying, with reference to the proposal of a personal interview, that though his Excellency continues not to refuse to see any person or persons who may approach in a proper manner, and for a proper purpose, he fears that no good would be likely to result from a conference in which discussion could possibly be conducted in the tone of your letter now under acknowledgment.

I have, &c.

(Signed) J. B. CURREY, *Secretary to Government.*

Henry Tucker, Esq.,
Kimberley.

VERACITY.—In the leading article of the "Mining Gazette" of yesterday, the following statement occurs, with reference to the correspondence between Mr. Tucker and the Government:—

"From all that we can gather, we are inclined to believe, that at the commencement of these negotiations there was a desire on the part of the Lieutenant-Governor to meet Mr. Tucker and the other gentlemen, and that Mr. Barry undertook, *at the Lieutenant-Governor's solicitation*, to be the medium of communication." [The italics are ours.]

Mr. Tucker's letter of the 24th March to the Secretary to Government, reads as follows:—

"Sir,

"Kimberley, March 24, 1875.

"Having been informed that his Excellency is not unwilling to receive a deputation to discuss matters of grave and general importance, I have the honour to request that you will acquaint his Excellency that the following gentlemen desire an interview with him :—Messrs. Wm. Ling, G. R. Blanch, J. G. Ross, H. Tucker, and R. Jamieson, upon the following subjects, viz. :—

- "1. Adjudication of police cases.
- "2. Penalties for illicit diamond buying.
- "3. Necessity for a Vagrant Act.
- "4. Camp regulations for security and order.
- "5. Alterations in the issue of certain licenses.
- "6. Amendment of Ordinance No. 21.
- "7. Amendment of Ordinance No. 18.
- "8. Amendment in regard to registration of servants, and fees payable thereon.
- "9. Relative position of proprietors and inhabitants of the several camps.
- "10. Obnoxious position of certain officers of Government and public functionaries.

"11. Difficulties threatening out of native and other claims to land.

"You will oblige by informing me if his Excellency will receive the deputation now named, and when it will be convenient to receive them.

"I have, &c.

(Signed) "HENRY TUCKER.

"To John B. Currey, Esq.,

"Secretary to Government, Kimberley."

In this letter Mr. Tucker asserts that he had been informed that the Lieutenant-Governor was not unwilling to receive a *deputation* to discuss matters of grave and general importance, asks the Lieutenant-Governor to receive himself and four other gentlemen *as a deputation*, and mentions *eleven* subjects which they desire to discuss. [The italics are again ours.]

The following correspondence, which we are permitted to make public, will show that the assertion made by the "Mining Gazette" that Mr. Barry acted as a medium of communication on the solicitation of the Lieut.-Governor, is untrue, and also that Mr. Tucker was made clearly to understand, before he wrote his letter of the 24th, that the Lieutenant Governor had not consented to receive himself and friends as a deputation. A perusal of this correspondence, and of the official letters already published, forces one to the conclusion that Mr. Tucker has acted throughout with much insincerity :—

"My dear Sir,

"Kimberley, April 7, 1875.

"As you accompanied Mr. T. D. Barry to my residence on Monday, the 22nd ultimo, and obtained an interview with me to, as I understood it, ascertain whether I would refuse to receive Mr. Tucker and three or four other gentlemen, if they applied for an interview to discuss certain three subjects which Mr. Tucker had represented himself and the others to be desirous of discussing with me; and as, from Mr. Barry's letter to Mr. Tucker of the 5th instant, which is published in the 'Diamond Field' newspaper of this day, it appears to me that he misapprehended what I expressed my willingness to do, I shall feel obliged if you will favour me with your recollections of what took place on the occasion referred to.

"Perhaps you will also be good enough to tell me whether, after you and Mr. Barry left me, any conversation took place between you and him respecting the terms on which I had expressed my willingness to grant Mr. Tucker and his friends an interview, and what you both understood those terms to be.

"And further, whether any meeting took place, between yourself, Mr. Barry, and Mr. Tucker soon afterwards, at which the subject was discussed, and what the then understanding was between you.

"Yours very truly,

(Signed) "R. SOUTHEY.

"H. Feltham, Esq.,

&c. &c. &c."

"My dear Sir,

"*Kimberley, April 7, 1875.*

"I have just received your note. My memory is quite clear on the subjects of your inquiry, which, as far as I was concerned, were as follows:—

"Mr. Barry asked me to join him and others in submitting to you Mr. H. Tucker's memorandum, which, he stated, contained the sum of the grievances sought to be remedied by himself (Tucker), and four or five others, whose names Barry had received from him, and who had taken a more or less prominent part in the agitation.

"I stipulated that you should not be asked to receive any of these parties, except in their private capacities, and he told me they did not themselves seek to appear in any representative character whatever, but merely as individual citizens.

"In this character, and on this memorandum, we inquired if you were willing to receive some (three or four) of the parties whose names Barry submitted for selection, and you agreed to do so without hesitation, but at the same time told us you could not receive a deputation from an illegal association, or any organization constituted for unlawful purposes. To this we repeated our assurance that the parties themselves did not desire to be so received, and that we certainly could not ask it.

"No conversation worthy of note occurred between Barry and myself after the interview with you; but in the afternoon of the day on which I accompanied him and Mr. J. B. Robinson to your office, the two latter brought Tucker to me, that I might tell him, in their presence, what had taken place at our interview with you.

"This I did, saying that you would receive any three of the six whose names he had given Barry, and discuss with them the three points of his memorandum; but I told him emphatically that you would not receive them, nor had we asked you to do so, in any other than their private character as citizens. To this Tucker replied, thanking us for the part we had taken, saying they only sought to be received as individual citizens, and not as a deputation from any body or Association, and that it should not be his fault if an 'amicable settlement,' whatever that may mean (I quote his words), were not come to.

"I am, &c.

(Signed)

"H. J. FELTHAM.

"His Excellency R. Southey, Esq., C.M.G.,

"Lieutenant-Governor, &c., &c. &c."

"My dear Barry,

"*Kimberley, April 8, 1875.*

"I have received from Mr. Feltham a full statement of what occurred at our interview on the 22nd ultimo, and of what took place the next day at a meeting between you and him, Mr. J. B. Robinson, and Mr. H. Tucker.

"I propose to give this statement to the 'Diamond News' for Saturday's paper; if, therefore, you propose to offer any explanation with reference to your letter of the 5th to Mr. Tucker, this seems to me to be the proper time for doing so, either in a letter to myself for publication, or in some other public way.

"I need not repeat, I am sure, what I said to you yesterday, that your letter to Mr. Tucker, if you meant by it to imply that I had consented to grant an interview to him and others, as a deputation, or to discuss any subjects other than those mentioned on his memorandum, conveyed a meaning entirely at variance with fact.

"This, I had your assurance, you did not intend to imply, but, as you will observe by Mr. Tucker's letter to the Secretary to Government, he has put that construction upon what you said.

"Yours very truly,

"T. D. Barry, Esq.,

(Signed)

"R. SOUTHEY.

&c. &c. &c."

Shortly after that note was sent to Mr. Barry, that gentleman called upon the Lieutenant-Governor, and stated that he had written an explanatory letter to Mr. Tucker, and gave his Excellency a copy of it. The following is that letter:—

"Dear Sir,

"*Kimberley, April 8, 1875.*

"Since writing you on the 5th, in reply to yours of the 5th instant, it has been pointed out to me that the word deputation has been wrongly used with reference to his Excellency's readiness to confer with you and others upon public matters. I may state that the Lieutenant-Governor expressed his willingness to receive you and other gentlemen named only as private citizens.

"With regard to the subjects to be discussed, three, as marked down by you on a memorandum, were those agreed to, and which I am sure you will admit.

"Oblige by informing me whether you understood me to this effect.

"H. Tucker, Esq..
&c. &c. &c."

"Yours truly,
(Signed) "T. D. BARRY.

Inclosure 19 in No. 22.

Extract from the Proceedings of the Executive Council, April 24, 1875.

LOOKING to the fact that the volunteers who have enrolled have come forward on the understanding that their services have been only asked for to maintain order pending the arrival of the regular forces; that even with the aid of the volunteers now enrolled, the Government is not sufficiently strong to enforce the civil judgments of the Law Courts or to arrest offenders, and that the present quiet attitude of the malcontents is avowedly only a temporary one pending a reply to the Governor to certain proposals on which it is improbable that his Excellency's answer can be satisfactory to them, the Council expresses its opinion that the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government, and that the alternative of arming coloured persons is one which should not be resorted to.

(Signed) JUAN SOUTHEY,
Clerk of the Council.

No. 23.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 5.)

My Lord,

Government House, Cape Town, May 5, 1875.

REFERRING to my despatch of the 24th ultimo,* in which I alluded to the appointment at public meetings held in Kimberley of the Chairman of the Mining Board and three others to proceed to Cape Town to seek an interview with me in order to represent fully the present state of affairs, and urge me to visit the Province with all possible speed, I have now the honour to transmit copies of correspondence which has taken place between the Lieutenant-Governor and myself on the subject, and to inform your Lordship of what has since occurred.

2. The deputation had hardly started when a Memorial, signed by over fifty gentlemen largely interested in the trade of the Province, assuring me that it did not represent their views or wishes, was forwarded to me by the Lieutenant-Governor, together with a Petition from a large number of coloured diggers at Du Toit's Pan, expressing surprise and alarm at learning that a deputation from the "disaffected" had been sent to prevail on me to deprive them of their rights and privileges as British subjects.

3. In spite of the discredit thus thrown on the deputation, I saw no good reason, as I stated to Mr. Southey, why I should not receive its members on arrival, and listen to whatever they had to say. The interview accordingly took place at Government House on the 30th ultimo, in the presence of Sir Arthur Cunynghame, whom I had invited to attend.

4. After Mr. Ransch had explained generally the object of their waiting on me, and urged the necessity of my presence, I stated that, however desirous I might be of going, if the difficulty of my quitting Cape Town during the Session of Parliament could be surmounted, I yet felt it would be impossible to accept an invitation emanating from a meeting at which the leaders of the association had taken an active part, unless they were empowered to give a distinct pledge that that body would at once disarm. I also, in answer to remarks as to grievances, went *seriatim* through the list put forward in Mr. Henry Tucker's last letter to the Lieutenant-Governor, and inquired which of the number could seriously be advanced as a ground for taking up

* No. 18.

arms, and whether in point of fact the 6th, regarding the relations of the diggers to the proprietors, and perhaps also the 9th, as to the issue of licences to coloured persons, were not the real causes of the formation of the association.

5. To these inquiries none of the deputation attempted to make any reply; and, after a good deal of conversation on various points, especially as to what I meant by "disarming," which I defined as not merely discontinuance of drills and parades, but the disbanding of the several corps, the surrender of all arms for the purchase of which no permits could be produced, and the dissolution of the Diggers' Protection Association, they left me to prepare, as I understood, a letter engaging to do all in their power to secure compliance with my stipulations.

6. Having waited three days in vain for this letter, a reminder was addressed to them by my Private Secretary, which produced the inclosed most unsatisfactory reply, in which their individual opinion, as to the effect which a promise on my part to visit the Diamond Fields would have in leading "to the quiet lapse of military organization," is alone dwelt on.

7. My intention upon receiving the deputation had been, provided they had been empowered to accede to my *sine quâ non* as to disarming, to engage to pay such a visit forthwith, and I had, even after discovering that they had no such power, privately arranged my plans for an almost immediate start, taking with me, in mule waggons, a small detachment of 100 men of Her Majesty's 24th Regiment, and an escort of a score or so of the Frontier Armed and Mounted Police, to act as a bodyguard at Kimberley, whilst I left the soldiers encamped a few hours off.

8. I had mentioned the matter previously to Mr. Molteno, who saw no insuperable objection to my going, on the understanding that the Lieutenant-Governor, Sir Arthur Cunynghame, was sworn in as I proposed, so as to be able, during the rest of the Session, to receive addresses, send down messages, give the Royal Assent to Acts, and finally prorogue the Parliament.

9. When, however, on my announcing that I was about to start, the Attorney-General came to look more closely into the question, he found that the 12th clause of my Commission from Her Majesty as Governor of the Cape, bearing date 20th August, 1872, copy of which had been laid before the Colonial Parliament in the succeeding year, expressly declared that absence in my capacity as Governor of Griqualand West did not constitute absence from this Colony within the meaning of the 11th clause, and that, consequently, it would be impossible for the Lieutenant-Governor to assume the Government. The opinion thus communicated to me by my Responsible Advisers necessitated the abandonment of my journey, or at least its postponement till the close of the Session, which will probably not arrive for two months hence.

10. On the other hand, the day after I received the deputation, a despatch had reached me from Mr. Southey, forwarding an extract from the minutes of his Executive Council, unanimously affirming that "the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government," and this was followed by a telegram cypher *viâ* Colesberg, representing that the association had broken its compact by assembling a large force under arms, on the previous night (26th ultimo).

11. It seemed to me under such circumstances that to delay the departure of the troops any longer was altogether quite out of the question, and I accordingly yesterday requested the Lieutenant-General commanding to give orders for sending up 300 infantry with 2 guns and 25 of the Royal Artillery, as he had originally recommended. Both men and guns are to be conveyed in mule waggons, which will be far more expeditious and not much more expensive (taking the former fact into account) than if they had, as originally proposed, marched on foot.

12. The first detachment leaves by railway for Wellington to-morrow morning, and is expected to take about twenty days in accomplishing the distance, the "Diamond Fields" being not far short of 600 miles. The rest will follow in a few days, should nothing occur to render their despatch unnecessary.

12A. Your Lordship will be glad to hear that it is the intention of the Lieutenant-General himself to overtake the column before it reaches Hope Town, on the confines of this Colony, and to superintend in person its progress after the Orange River is crossed and Griqualand West entered.

13. I purpose giving such instructions to the Lieutenant-Governor of that Province as will leave Sir Arthur Cunynghame not merely unfettered in regard to military arrangements, but invest him with full discretionary power as to the objects for which the troops are to be employed.

14. Deeply regretting the untoward series of events which had, despite all my efforts, ended in leaving me no possible escape from the painful duty of thus providing

for the vindication of the Queen's authority, which has been set at defiance for two months past in this distant portion of Her Majesty's Dominions.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 23.

Sir,

Lieutenant-Governor's Office, Kimberley, April 17, 1875.

I HAVE the honour to forward for your Excellency's information a copy of a letter from Mr. L. P. Ford, an attorney of this town, to the Secretary to Government, conveying a request that I would give an introduction in writing to your Excellency to Messrs. Ransch, K. Tucker, Goodchild, and Reid, all of this place, who propose going to Cape Town with the view of waiting upon you.

2. I also forward a copy of the reply which I directed to be made to Mr. Ford, and in accordance with the promise therein made, I beg to inform your Excellency that, at a meeting held on Thursday last, the 15th instant, in the Kimberley Hall, at the instance of some members of the Mining Board, it was resolved, on the motion of G. H. Blanch, one of the foremost and most violent of the rebels, who, during the absence of William Ling, assumed the command of the armed men who menaced the police on the 12th instant in the manner described by my despatch of the 15th instant, that the meeting approved of the action taken by the Mining Board at a meeting held on the 14th instant, when it was resolved by Mr. Ransch, the Chairman of the Board, and Mr. Kidger Tucker, the brother of Henry Tucker, who is the avowed leader of the rebels, should form a committee to wait upon your Excellency to "represent to you fairly and fully the present state of affairs here," and to urge you to visit the Province with all possible speed.

3. By another resolution, moved by Mr. Ford, the writer of the letter above-mentioned, and seconded by Henry Tucker, it was agreed Mr. Goodchild, an auctioneer of this town, who presided over the meeting, should be one of the deputation; and it was resolved, on the motion of Henry Tucker, that another name should be added to the list, "leaving it," he said, "to commercial men to elect a man of their own choice."

4. A meeting of mercantile men was held; though I am not aware on whose invitation, in the afternoon of the same day, at which there is reported to have been a discussion as to whether the proposed representative should be nominated by the Chamber of Commerce or by the community.

5. On the next day, the 16th, the Chamber of Commerce had a meeting, at which they decided not to co-operate with the Mining Board in sending a deputation to Cape Town; and subsequently on the same day another general meeting is reported to have been held, at which Mr. J. G. Reid is said to have been asked to join the deputation.

6. Mr. J. G. Reid is, I am told, a partner of J. B. Wilson and Co., of this town.

7. I have not received any communication from the gentlemen who desire to wait upon you, as to the subjects they propose to submit for your Excellency's information.

8. In conclusion, I must draw your Excellency's attention to the petition now in course of signature, of which I inclose a copy. This petition is the document referred to in the Secretary to Government's letter to Mr. Ford as a protest, and, taken in connection with the action of the Chamber of Commerce, it will, I think, satisfy your Excellency that the proposed deputation should not be regarded as competent to express the feelings or wishes of the more respectable inhabitants of Kimberley.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 23.

Sir,

Kimberley, April 17, 1875.

ON behalf of Messrs. J. W. H. Ransch, K. Tucker, A. J. Goodchild, and J. G. Reid, I beg to inform you that these gentlemen having been deputed, the two first named by the Kimberley Mining Board, the third by a public meeting, and the last by the mercantile community, to wait upon his Excellency Sir H. Barkly, K.C.B., &c.,

at Cape Town, and request either the appointment of a Commission, or his personal presence here, to inquire into, and settle the present unhappy and unsettled state of public feeling; and at the same time to request an introduction in writing from his Excellency the Lieutenant-Governor to his Excellency the High Commissioner.

As the deputation intend leaving to-morrow, and they have many things to attend to previously, I would ask for an immediate reply.

I inclose copies of the Minutes of the several meetings at which the above-named gentlemen were appointed; such copies duly sworn to as correct.

Please return the same, with your reply.

I have, &c.

(Signed) L. P. FORD

The Hon. the Secretary to Government.

Inclosure 3 in No. 23.

Sir,

Kimberley, April 17, 1875.

I HAVE to acknowledge the receipt of your letter of this day's date, requesting, on behalf of Messrs. Ransch, K. Tucker, A. J. Goodchild, and J. G. Reid, an introduction in writing from his Excellency the Lieutenant-Governor to his Excellency the High Commissioner, and, in returning the inclosures to that communication, I am directed to state that the Lieutenant-Governor is not prepared to accede to your request.

I am also directed to observe that it has been notified to the Lieutenant-Governor that a protest is in course of signature against the gentlemen forming the proposed deputation being considered the exponents of public opinion here, and it is within his Excellency's knowledge that the meeting, which resulted in the appointment of the three first-named gentlemen, was called at the instance of a portion of the Mining Board, whose action in so doing has been protested against by some of the other members of that body.

The Lieutenant-Governor, whilst unable to comply with the request which you have made on behalf of Mr. Ransch and the other gentlemen named in your letter, will inform Sir Henry Barkly of the circumstances under which they propose proceeding to Cape Town, and will also transmit to his Excellency copies of this correspondence.

I have, &c.

(Signed) JOHN B. CURREY, *Secretary to Government.*

L. P. Ford, Esq.,
&c. &c. &c.

Inclosure 4 in No. 23.

Sir,

Lieutenant-Governor's Office, Kimberley, April 22, 1875.

I HAVE the honour to transmit a letter addressed to your Excellency by Mr. Ransch, the late Chairman of the Kimberley Mining Board, forwarding a resolution passed by that body on the 13th instant.

A copy of the resolution in question has also been sent by Mr. Ransch to this Government, and I have the honour to inclose a copy of the reply which, after consulting the Executive Council, I directed to be made to his letter.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 5 in No. 23.

Sir,

Office of the Mining Board, Kimberley April 14, 1875.

May it please your Excellency,

I HAVE the honour to acquaint you with the following resolution passed last night (13th instant) by the Board:—

"That this Board, as elected by the diggers of Kimberley to watch over their interests, and, so far as possible, prevent any action on the part of any individual or

body whatever tending to injure the general prosperity and well-being of the digging community, have watched with considerable anxiety the tone and bearing of the Government towards the diggers whenever the latter have endeavoured to approach them with a view of obtaining redress of unquestionable grievances, and this Board is desirous of making known to the Government its unqualified disapproval of the overbearing and vexatious conduct persistently adhered to towards the diggers by the Government, tending, as it inevitably must, to bring about a state of things which all right thinking men must deplore.

"And this Board would most particularly protest against the enrolment of the natives as a black guard contingent to destroy property and ravage the camp, as those who have already enrolled themselves have been heard loudly boasting it is their intention to do when the Government has brought about a rupture with the people.

"And that this Board, on the part of the diggers, gives the Government notice that it will hold the Government responsible for whatever damage to life and property may arise out of its unprecedented policy towards the diggers."

It was also resolved—"That a copy of the above resolution be sent to his Excellency the Lieutenant-Governor and also to your Excellency."

I have, &c.

(Signed) J. H. W. RANSCH,

Chairman of the Kimberley Mining Board.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B..

&c.

&c.

&c.

Inclosure 6 in No. 23.

Sir,

Secretary to Government's Office, April 21, 1875.

IN acknowledging your letter of the 15th instant, by which you transmit a Resolution passed by your Board at a Special Meeting, in which you request the Government to refrain from all measures tending to irritate the people, or to bring about a collision, as a Deputation had been appointed by you to wait upon his Excellency Sir Henry Barkly, I am directed by the Lieutenant-Governor to point out to you that, as your Board was elected to act as the representative of the claim-holders in certain specific matters connected with the working of the mine, his Excellency can only discuss with you, in that capacity, subjects which fall within the scope of your functions.

I have, &c.

(Signed) JOHN B. CURREY, *Secretary to Government.*

Inclosure 7 in No. 23.

Sir,

Secretary to Government's Office, April 22, 1875.

WITH reference to your letter of the 14th instant, forwarding a Resolution passed by your Board on the subject of what you are pleased to term the overbearing and vexatious conduct of the Government towards the diggers, I am directed to refer you to my letter in answer to yours of the 15th instant, and to say that, if the Board is desirous of bringing to the Lieutenant-Governor's notice any instances of overbearing or vexatious conduct on the part of any Government officer, his Excellency will be prepared to give them his immediate attention.

I have, &c.

(Signed) JOHN B. CURREY, *Secretary to Government.*

The Chairman of the Kimberley Mining Board.

Inclosure 8 in No. 23.

Sir,

Government House, Cape Town, May 1, 1875.

I HAVE the honour to acknowledge your Excellency's despatches all relating to the appointment of Messrs. Ransch, Goodchild, Tucker, and Reid to proceed to Cape Town, to make certain representations to me as to the present state of affairs at the dry diggings.

2. The three former arrived in Cape Town on the 28th instant, and applied next day for an interview, which I saw no reason to refuse, as they were not charged with

any illegal act, and the Meeting, at which they were appointed, seems to have been in all respects a public one.

3. I accordingly received them at noon yesterday, in the presence of Lieutenant-General Sir Arthur Cunynghame, and the members of his staff, as well as of my own; Mr. Hampden Willis being in attendance to take notes of the proceedings.

4. I took care to explain to Mr. Ransch, at starting, that I considered the objections your Excellency had raised to the Mining Board being recognized as in any way a political institution valid, and that I regarded himself and his colleagues as private individuals, representing merely the views of those who voted for the Resolutions in favour of their coming; and I subsequently added that though I was ready to listen to what they had to say to me, I could enter into no engagements, make no promise, for the delay of the departure of the troops, unless they were authorized to give me a positive assurance that the Diggers' Protection Association would not only cease to drill and parade, but abandon altogether its military organization.

5. After much discussion, this condition was reduced to a definite shape, and the Deputation, having assented to it verbally, withdrew for the purpose of putting it in writing. Whether they will have influence enough to ensure the fulfilment of this engagement, I cannot judge, but I consider the pledge on their part as extremely satisfactory,—no promise of any kind having been held out on my part.

6. I will only, in conclusion, impress upon your Excellency to use your best endeavours to allay the apprehensions of the coloured diggers at Du Toit's Pan and elsewhere, and to do all in your power to prevent those feelings of mutual exasperation which, unfortunately, seem growing up between the white population and the natives.

7. Hoping, by next post, to be in a position to give you more definite information of my intentions.

I have, &c.

(Signed) HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 9 in No. 23.

Memorial.

To His Excellency Sir Henry Barkly, G.C.M.G., K.C.B., Governor of the Colony of the Cape of Good Hope.

The Memorial of the undersigned merchants, bankers, diamond merchants, brokers, professional men, claim-holders, &c. :

Humbly sheweth,—

THAT your Memorialists view with surprise and indignation the action lately taken by a certain disaffected portion of the community in this place, who claim to represent not only the claim-holders, but also the commerce of this Province.

Your Memorialists beg to assure your Excellency that such is not the case, and that they view with disapprobation and alarm the late public displays of armed force and open resistance of such body to the legally constituted Government authorities.

We understand a small section of the community, instigated by a bare quorum of the Mining Board, have delegated certain gentlemen to wait upon your Excellency, with a view of representing the general community on public matters.

We beg to assure your Excellency that this is not the case, and that Messrs. A. T. Goodchild, J. W. H. Ransch, K. Tucker, and J. G. Reid, were not appointed by us, nor do they represent either our views or wishes.

Kimberley Diamond Fields.

Inclosure 10 in No. 23.

*Private Secretary's Office, Cape Town,
May 3, 1875.*

Gentlemen,

THE Governor instructs me to say, with reference to what passed when you were at Government House on the 30th ultimo, that he fully expected ere this to have

received the promised letter engaging that the Diggers' Protection Association should be dissolved, and the military organization it had established forthwith put an end to.

2. His Excellency can hardly believe that, unless you were fully empowered to give such assurance, you would have thought it worth while to come to Cape Town to seek an interview with him, and he desires me to add that he can no longer delay the final conclusion of the arrangements which he considers it incumbent on him to make in the present critical state of affairs at Kimberley.

I have, &c.

(Signed) ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Ransch,
K. Tucker, and
A. J. Goodchild.

Inclosure 11 in No. 23.

Sir,

Cape Town, May 4, 1875.

WE have the honour to acknowledge the receipt of your letter of the 3rd instant, conveying his Excellency's intimation that he fully expected to have received by then a letter which his Excellency appears to have understood we have promised to transmit engaging that the "Diggers' Protection Association" should be dissolved, and the military organization it had established put an end to.

In reply, we beg to state that the draft of a letter containing such suggestions as we have been authorized to submit to his Excellency's favourable consideration, especially the reasons which should induce him, in our humble opinion, to make a personal visit to Griqualand West, is awaiting the arrival of our co-delegate, Mr. Reid, whom we have been expecting for the last two days by the "European," and whose approval and signature we consider it only proper to obtain. This will be attended to the moment he arrives.

With respect, however, to the supposed promised letter whereby we were to engage that the Diggers' Protection Association should be dissolved, and the military organization at the Fields put an end to, we must respectfully point out that his Excellency has inadvertently fallen into an error; because, in the first place, we do not represent, nor have pretended to represent, the Diggers' Protection Association or the military organization in question, but simply a respectable and influential section of Her Majesty's loyal subjects at Kimberley (the great bulk of them, in fact) who view with grief and alarm the present untoward public state of affairs, and do most earnestly desire his Excellency's presence amongst them, believing that his Excellency's own personal investigation will suggest a mode of adjustment of our present troubles, and which his Excellency's paramount influence can alone satisfactorily determine. In the next place, we should never have presumed to seek to appear before Her Majesty's Representative as either delegates or representatives of associations which the Lieutenant-Governor of Griqualand West has proclaimed to be seditious and illegal. What occurred at the meeting which his Excellency was good enough to accord us was that we expressed our own individual opinions that the Association would voluntarily dissolve and the military organization be allowed to lapse quietly the moment it was authoritatively known that his Excellency intended to visit the Fields himself, and this is still our most thorough conviction—a conviction based on our knowledge of public feeling and public wishes, which all centre in the personal presence of the Governor and in a firm reliance on his ability and readiness to do justice.

We are, &c.

(Signed) J. H. W. RANSCH.
K. TUCKER.
A. J. GOODCHILD.

Arthur Barkly, Esq.,
• Private Secretary,

Inclosure 12 in No. 23.

Attorney-General's Office, May 4, 1875.

LOOKING at the 11th and 12th paragraph of the Commission to his Excellency Sir H. Barkly as Governor of this Colony, I am of opinion that absence in Griqualand

West, in his capacity as Governor of that Province, is not absence from this Colony within the meaning of the said 11th paragraph, and will not justify the Lieutenant-Governor assuming the Government.

(Signed) S. JACOBS.

Inclosure 13 in No. 23.

Extract from the Proceedings of the Executive Council, April 24, 1875.

LOOKING to the fact that the volunteers who have enrolled have come forward on the understanding that their services have been only asked for to maintain order pending the arrival of the regular forces, that even with the aid of the volunteers now enrolled the Government is not sufficiently strong to enforce the civil judgments of the law courts or to arrest offenders, and that the present quiet attitude of the malcontents is avowedly only a temporary one, pending a reply from the Governor to certain proposals on which it is improbable that his Excellency's answer can be satisfactory to them, the Council expresses its opinion that the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government, and that the alternative of arming coloured persons is one which should not be resorted to.

No. 24.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 5.)

My Lord,

Government House, Cape Town, May 10, 1875.

I AVAIL myself of the departure of a steamer of the Donald Currie line to transmit for your Lordship's information copy of the latest despatch received from the Lieutenant-Governor of Griqualand West, as to the state of affairs in that Province.

2. It will be seen that Mr. Southey reports no improvement, but, on the contrary, strengthens his previous urgent representations respecting the necessity of military assistance by adding to the unanimous Minute of the Executive Council, a Memorandum to the same effect signed by all four of the elected Members of the Legislative Council. He likewise adduces a leading article of a violent and seditious character, which had just appeared in the "Diamond Field" newspaper, in proof of the spirit which actuates the malcontents; but as the editor was forthwith changed, and his sentiments expressly disavowed, I would fain hope that this is by no means a necessary inference with regard to the great majority.

3. The troops, as explained in my despatch of the 5th instant,* had commenced their journey from Cape Town two days before I received this further communication from the Lieutenant-Governor, the allusions in which to the delay that had occurred in sending them, taken in connection with what is stated as to the volunteers having only been invited officially to enrol themselves "pending the arrival of the regular forces," renders it incumbent on me, for my own justification, to inclose herewith copy of correspondence which had previously passed between his Excellency and myself on this point, with which I did not intend otherwise to have troubled your Lordship.

It will be seen from it that Mr. Southey had no reason whatever to suppose that I was about to send troops, when he issued the Proclamation above quoted.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 24.

Sir,

Lieutenant-Governor's Office, Kimberley, May 1, 1875.

IN continuation of previous despatches on the subject of the state of affairs in this Province, I have the honour to report that, in my opinion, nothing has occurred to obviate the necessity of sending an adequate force here as soon as possible.

2. That this very serious measure is really called for will, I think, have been

made plain to your Excellency by my previous despatches, in which, whilst informing you of the progress of events here, I have endeavoured to describe the strength and organization of the rebels, the terrorism by which they have sought to compel the payment of subsidies in aid of their projects; the growing uneasiness of the coloured population, who know that their liberties are threatened; and the powerless condition of this Government, which after making every effort short of enrolling coloured persons, is obliged to remain on the defensive, and allow the law to remain in abeyance.

3. Had your Excellency required further proof of the urgent necessity which exists for the presence of a proper force, it would no doubt have been supplied by the Minute of the Executive Council and the Memorandum signed by the elected Members of the Legislative Council, which I forwarded to you on the 28th ultimo in my private letter.

4. But though I feel satisfied that your Excellency will take the necessary steps for supporting this Government by the presence of a regular force, I must not fail to impress upon you the desirability of your Excellency's intentions in this respect being made known publicly and definitely at the earliest possible moment. As post after post arrives from the Colony with no positive intelligence of movements on the part of the military, and with the newspapers repeating the rumour that all orders for the despatch of troops are countermanded, the spirit of the malcontents are raised to a dangerous pitch, whilst those of many of the volunteers are proportionately depressed. Your Excellency will not fail to bear in mind that these gentlemen are quiet citizens, who have only responded to my call from a sense of duty, and that my Proclamation, of which your Excellency has expressed your approval, only asked them to enrol for the maintenance of order, pending the arrival of regular forces. I felt that I could not ask them to do more. It would have been unreasonable, except under the most desperate circumstances, to ask one section of the population to arm itself against another and a larger section already organized for the purpose of entering on what must have been at the best a prolonged conflict; and it would be unreasonable to ask them to perform their present duty longer than is absolutely necessary.

5. That duty is to keep guard over the gaol, the magazine, and the public offices, by night; and as the small size of our force makes it necessary for each man to be on duty two nights in each week, your Excellency will readily see that the performance of it must fall very heavily on professional men, bank managers, and merchants, as well as on others, who have to leave their own homes and families unprotected during their absence.

6. I have felt obliged to ask them to perform this duty; for though, as I have already intimated to your Excellency, I do not apprehend any immediate outbreak on the part of the recognized leaders of the malcontents, it is impossible to foretell what some of the more violent may do or attempt at any time; and the seizure of our arms and ammunition, or the burning of the public offices—both of which have been repeatedly threatened, would be such a disaster that I feel bound to take all possible means to prevent their occurrence. Your Excellency will bear in mind that our public offices are temporary buildings which, as shown in the case of the hospital, though constructed principally of iron, are very rapidly destroyed by fire.

They are also close together, and all would probably be burnt if one took fire, in which case all the public papers and accounts, all the records of claims to land, and all the records of the ownership of mining claims, would be lost, and the affairs of the Province plunged in almost hopeless confusion.

7. In proof of the spirit which animates the persons now in arms, I beg to refer your Excellency to the leading article in their avowed organ, the "Diamond Field" newspaper, of this day, a copy of which I inclose, from which your Excellency will see that, whilst styling themselves "the promoters of an incipient rebellion" in this Province, they are considering the expediency of so widening their sphere of operations as to embrace the neighbouring Colonies and States. Late this evening a "disclaimer" has been put forth, disavowing the leading article in question, and of this I also forward a copy; but such a disclaimer of such an article is of little value, even if it should reach the hands of all who may read the latter, which is very doubtful.

8. The same supplement also contains a letter signed Henry Tucker and William Ling, saying that since the deputation to your Excellency left for Cape Town, their forces have "abstained entirely from drilling;" but the inclosed copy of a Report from the Inspector of Constabulary renders the correctness of this statement doubtful, and I am informed by an eye-witness that Mr. Ling has this day been openly buying bayonets in the town.

9. In conclusion I have only to add, in explanation of one part of Inspector Percy's Report, that the murder in connection with which the man Lowenberg has been arrested, was one in no way connected with political movements, and that the arrest was made quietly in the Resident Magistrate's Court, when Lowenberg was watching the proceedings.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir H. Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 24.

Sir, *Constabulary Office, Kimberley, May 1, 1875.*
I HAVE the honour to inform you that on Friday last a number of men met at 8.30 P.M., under arms, at Tucker's house, for inspection drill, and were dismissed about 9.30 P.M.

A guard under arms is kept both at Ling's and Tucker's nightly. I am informed that earthworks have been thrown up at the residence of the latter; but I have not yet had an opportunity of inspecting them. I inclose a disclaimer of the article which appeared in this day's issue of the "Diamond Field."

Aylward has this day been removed from the editorship of the "Field," by a letter addressed to him signed by Ling and Frames.

Lowenberg, sergeant of the German Corps, was arrested by the police to-day, on warrant, for assault with intent to commit murder, and is now in gaol.

I have, &c.

(Signed) GILBERT PERCY, *Inspector, Commanding.*

The Hon. the Secretary to Government,
Kimberley.

Inclosure 3 in No. 24.

Extra to the "Diamond Field," May 1, 1875.

DISCLAIMER.—WE beg to inform our readers that we have made a change in the editorial staff of this paper.

The leading article which appeared in our issue of this morning had not been revised, and is contrary to the moderate tone of writing which we think should always be observed, especially in the present state of public affairs, "The creation of a South African Colonial Free and Republican Confederation" is not advocated by us, nor as far as we know, by the Diggers' Association.

It will be our aim, while strictly maintaining the necessity for sweeping reforms, and the peaceful and ample adjustment of grievances, to allow no writings of an un-English character in the columns of this paper.

A document termed "a protest" appears in the "Diamond News" of this morning, signed by four elected members of the Legislative Council, in which these gentlemen appear all at once to have awaked to the fact that troops are necessary, and that, as they say, while men remain armed to prevent the laws being carried out the Council should suspend its sittings. It is a somewhat significant fact that, whatever may have been the shortcomings of the Council, it has been active on one subject, viz., the land question. Horace Walpole defined gratitude as "a lively sense of future favours." In the case in point we think the proper meaning of the term "proper appreciation of favours already bestowed" is likely to be near the mark. If the Land Bill, which has passed through all its stages, gets through a third reading on Monday next, undoubted benefit will be conferred on at least three elected members of the Council who are known to be large land claimants. What more graceful acknowledgment of the benefit could be made by those parties than "a protest" framed and got up in the spirit of the one now referred to, and couched in phrases so well suited to the policy of the Government.

We called attention in our leader of Wednesday last to the fact that up to that moment the Council had not voluntarily considered nor had it been requested by the Government to give expression, to its views on the present crisis. The "situation" has not been deemed grave enough to demand any formal "resolution" nor has the

Lieutenant-Governor asked for special authority to enter upon the extraordinary expenditure involved in large purchases of fire-arms and in erecting barricades and fortifications which are simply a bye-word in the camp, while the "Land Question" has been thought of sufficient importance to require immediate legislation, grievances long complained of have not received even a passing notice at the hands of the Council. In order to condone this omission of duty the elected members have now, at the eleventh hour, placed upon record their conviction of the emergency which but for their neglect of duty might never have arisen, and they appear to have pliantly fallen in with the policy of the Government. That this policy is a mistaken one is only repeating what we have before said, and we add that a Government which seeks to rule by bayonets, and elected members who support such views, deserve to be relieved as soon as possible from duties for which they so plainly prove their unfitness.

There must be no compromise upon this subject. This Government must be replaced by one influenced by modern and enlightened principles. The unpopularity of both the executive and the elected members would of itself stand in the way of future harmonious action. An Executive of new men, and a dissolution of the Council, to test the views of the electors, must take place if right is to be done in a constitutional manner. The elected members who have signed this unhappy "protest" stand in the unenviable position of knowing that if a fresh election were now to take place they would not even be mentioned as the future members for this Province. This is a challenge broadly thrown down, and we leave the chapter of the events to show whether we are right or not, in this emphatic statement. Griqualand West is not to be Governed by bayonets, nor is it to be overawed by barricades, amply supplied arsenals, nor by armed specials, police and so called "Volunteers." The "protest" referred to is generally regarded as having been inspired, and cannot be taken to be the spontaneous and disinterested act of those who signed it.

To the Editor of the "Diamond Field."

Sir,

In the "Diamond News" of Thursday last, the Diggers' Association is charged with breaking the *satus quo* agreed upon to be observed during the absence of the Deputation to Sir H. Barkly.

While the Government has carried on enrolling, arming, purchase of arms, and the erection of barricades, the "Diggers' Association" has abstained entirely from drilling and armed public demonstration of any kind.

The Association has held its meetings for the conduct of its ordinary business only, and will not willingly be forced into the adoption of any other course.

We are, &c.

(Signed)

HENRY TUCKER.
WILLIAM LING.

Kimberley, May 1, 1875.

Inclosure 4 in No. 24.

Protest.

THE following protest against the action of the Associationists was handed to his Excellency the Lieutenant-Governor yesterday afternoon:—

"We, the undersigned elected members of the Legislative Council of Griqualand West, desire to convey to the Lieutenant-Governor an expression of our opinion that it is neither desirable nor prudent for the Council to continue in Session, while a large number of persons who have unlawfully enrolled themselves remain so enrolled and under arms for the purpose of resisting the laws, and preventing the Government from enforcing a due observance of them.

"It is our opinion that the work of legislation cannot be properly or safely conducted under such circumstances, and we wish to impress upon his Excellency our conviction that the position of affairs is dangerous in the extreme.

"We learned with great satisfaction that the Governor had resolved upon sending a strong detachment of troops to this Province to enable the Executive to maintain order and compel obedience to the laws in force, and we sincerely hope that all possible expedition will be observed in their movements, for we believe that in the absence of such a force there is imminent risk of bloodshed resulting from the existing state of

affairs, and we believe that it is not desirable to keep one portion of the community armed against another portion for a longer period than is absolutely unavoidable.

"The armed demonstration by an unlawfully formed Association, to which we have adverted, has been made for the acknowledged purpose of forcing upon the Executive the adoption of measures not warranted by law, and we deem it of the utmost importance not to yield to such an exhibition of force, believing that any such yielding would be fraught with most disastrous consequences.

(Signed) "P. J. HARDMAN GRAHAM, M.L.C., *Kimberley,*
Vice-President.

"H. GREEN, M.L.C., *Kimberley,*

"FRANCIS THOMPSON, M.L.C., *Barkly.*

"DAVID ARNOT, M.L.C., *Hay.*

"*Legislative Council Chamber, Kimberley, April 29, 1875.*"

Inclosure 5 in No. 24.

Sir, *Lieutenant Governor's Office, Kimberley, April 24, 1875.*

I REGRET that the post which was due yesterday, but only reached me this morning, has brought me no official communication from your Excellency on the subject of a military force being sent to this Province. I am pressed for information as to the steps which are being taken in this matter, and after the repeated assurance of support which I have received from your Excellency, and after the telegraphic message sent by your Excellency's aide-de-camp to my special messenger at Colesberg on the 16th instant, it is painful to me to be compelled to discourage the supporters of the Government by having to inform them that no movement has been made, and that the question of making a movement is still under consideration.

2. My telegram of the 13th instant, of which I inclose a written copy, for fear the cypher may not have reached your Excellency correctly, informed you that there was a force under arms here against which the Government could not contend, and after the repeated warnings I had felt it my duty to give your Excellency, first of the possibility, and afterwards of the probability, of such a state of things arising here, I felt confident that the earliest intimation of its actual existence would draw from your Excellency such an expression of your intention of dealing promptly with it as would have encouraged the loyal inhabitants, and decided the wavering, who in such a community as this are very numerous.

3. In my despatch of the 4th February last, I stated to your Excellency that the course which affairs were likely to take here, was one which required your Excellency to be prepared for very prompt and energetic measures.

4. On the 20th March, I informed your Excellency by my despatch, that matters had progressed even more rapidly than I had anticipated; that at least four distinct armed corps were organized; that the state of things was causing great alarm; that deputations from the bankers, merchants, and others had waited on me urging me to take measures for maintaining order; and I begged that arrangements might at once be made for insuring the presence of a sufficient force for that purpose.

5. Having thus given such ample warning, and informed your Excellency so fully of all occurrences here, it is with great concern I learn, after the rebel forces have been organized for more than a month, that when at last they venture on overt acts and set the law and the Government at defiance, it is still a question whether military aid is to be sent at all, and that, at the best, not a soldier could start for fourteen days.

6. I forward for your Excellency's information a copy of a Minute I have addressed to the Executive Council, and an extract from the proceedings of the Council, expressing the views of the Members on the present position of affairs in the Province, and I must now leave the matter in your Excellency's hands.

7. I should, however, take this opportunity of drawing your Excellency's attention to two points connected with our present position, to both of which, in my humble opinion, great weight should be attached.

8. The first of these points is the unwillingness of the European population to take the part of the Government by enrolling. Only about 200 have come forward, and of these only 146 presented themselves at the muster to-day. This force will not enable me to do more than protect the public offices and buildings from attack or fire, both of which are threatened, and enable the constabulary to patrol the streets to maintain order. It will not enable the Government to enforce the law or to protect the officers of justice in executing the civil judgments of the Courts. The unwilling-

ness to enrol is, no doubt, in some degree to be attributed to the apathy in political matters of a community engaged in trade, but it is also undoubtedly in some degree owing to the discontent of the mass of European diggers, very few of whom have come forward, and in some degree also to the intimidation to which respectable persons have been subjected, in the manner described by Messrs. Sonnenberg and Dunkelsuhler in the Inclosures to my despatch of the 22nd instant. It must therefore be understood not only that our volunteer force is very small, but that efforts will be constantly made to reduce it, and impair its efficiency. Above all, it must not be lost sight of that, on the strength of your Excellency's repeated assurances of support, these men have been enrolled only for a specific purpose, and pending the arrival of regular forces, and that unless such forces are sent, they will complain of a breach of faith, and will probably require their discharge.

9. The other point to which I must draw your Excellency's attention is of still greater moment.

10. As time passes on, the plans of those engaged in the present movement become developed, and the problem why apparently simple-minded men, some comparatively wealthy, should act in a manner so compromising to themselves, becomes more easy of solution.

11. It will be found that one of the mainsprings of the present action, and that which has impelled the diggers as a class either to join the movement or to look on approvingly at it, is the desire which has always animated them to deprive the coloured races of the right to dig and search for diamonds.

12. As the diggers of European extraction have never disavowed this, but always openly asserted it, so the coloured classes have also always been aware of it, and they recognize, in the present attitude of the white diggers, a determination to carry out their wishes by any means, lawful or unlawful.

13. I have in my despatch of the 22nd instant, drawn your Excellency's attention to the position of Her Majesty's coloured subjects here, and their growing restlessness under the provocations they daily receive; and I must conclude by assuring your Excellency that nothing but the presence of a sufficient force can enable me to take such a stand between the white and coloured races as will prevent the possibility of a serious outbreak between them, in which natives from every part of South Africa would be engaged, and which would, in my opinion, cause results in comparison with which the cost of maintaining a strong force here for years would be insignificant.

I have, &c.

(Signed) R. SOUTHEY, Lieutenant-Governor.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 6 in No. 24.

Telegram received April 16 from Captain Stopford, A.D.C., Government House, Cape Town, to Mr. Henry Roper Colesberg.

FULL reply to Mr. Southey's telegram will be dispatched hence in about two hours. In case its receipt be delayed by accident, go back to Fields in coach and report that troops, as before notified, will be sent off immediately.

Inclosure 7 in No. 24.

Telegram from the Lieutenant-Governor of Griqualand West to the Governor, Cape Town.

YESTERDAY afternoon the trial of Cowie for breach of gun and gunpowder laws came to conclusion in the Magistrates' Court. Cowie was convicted, and sentenced to pay a fine of 50*l.*, or, in default, to suffer imprisonment for three months, according to law. The fine not being paid, the police took the man in charge for the purpose of conveying him to prison. Directly the sentence was passed, a number of men rushed out of Court and ran across Market Square to a store where it was known that arms belonging to a portion of the men who had been enrolled by the so-called "Diggers' Protection Association." were kept; others went as rapidly in other directions, and simultaneously with these movements the black flag was hoisted by Aylward on Mount Ararat; this was the signal previously announced by order of the Association, by which there should

be a general call to arms. I myself and the other Executive officers were in the Legislative Council Chamber, that Council having to meet for business, according to previous adjournment, at 4 o'clock. Before a sufficient number of members had arrived to form a quorum, the men who had been seen to run across the square from the Magistrates' Court were observed to be returning towards it, armed with rifles. A number of them halted in front of the Council Chamber, at a distance of about 50 yards from it, were formed into line by a man who had been a sergeant in Her Majesty's 86th regiment, ordered to load with ball, and immediately marched by that man's order towards the Court house.

All this passed so quickly that before the police had taken their prisoner to the gaol, a considerable number of these armed men had placed themselves in position at the gate of that building to obstruct the passage. The police were accompanied and assisted by a few armed gentlemen, but altogether their number did not, I believe, exceed 30, while the number of armed men opposed to them is estimated to have been at least 200. A very large crowd of both sexes had assembled in close proximity to the armed parties, many of whom must have been killed or wounded if shots had been fired. I have reason to believe that many of the crowd were there to render support to the police if called upon; but, as they were neither armed nor organized, their assistance was not called for. At this stage the acting magistrate, Mr. D'Arcy, who had accompanied the police to the precincts of the gaol, demanded to know who was in charge of the armed opposition to the law, upon which Ling stepped forward and admitted that he was. This resulted in a parley between Tucker and Ling, on the side of the armed opposition, and the magistrate and the acting Attorney-General (who had gone down to the scene of disorder), and shortly afterwards the latter came to me at the Council Chamber, and stated that Tucker and Ling had come up with him and the magistrate to my office, and wished to see me on the situation, for which purpose they were waiting in the clerks' room. I requested Mr. Shippard to ascertain from them exactly what they desired to say to me, and to require them to submit it in writing, for which purpose he returned to the place where they were, and I remained at the Council Chamber. A discussion now ensued between Ling and Tucker, Mr. Shippard and the Secretary to Government, which terminated in Tucker paying the amount of the fine, 50*l.*, by his cheque on the Oriental Bank, on an understanding with the magistrate that the cheque would not be presented for payment until the Recorder shall have confirmed the sentence. The proceedings go before him in the ordinary course. The actual result is, therefore, that the fine is paid, but will be returned if the magistrates' judgment should be reversed by the Recorder.

When it was agreed to accept Tucker's cheque on condition of non-presentation for payment until after the Recorder's final decision, Tucker further desired to condition that no action should be taken against anyone engaged in the day's proceedings, with which the Acting Attorney-General indignantly refused to comply.

I have not received an official report yet; but I believe what I have herein stated to be substantially correct.

The small body of police, and the gentlemen acting with them, behaved themselves admirably, and held the prisoner in charge until they were authorized to release him by the magistrate.

I send this telegram to Colesberg in charge of a public officer, Mr. Roper, and by Cobb and Co.'s conveyance; a return message to Colesberg in time for the return waggon will be brought by the same officer. Cobb and Co.'s coaches are irregular; but it can be ascertained at Graham's Town when the up coach is likely to pass through Colesberg.

Kimberley, April 13, 1875.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

P.S.—I have issued the following Proclamation.

Inclosure 8 in No. 24.

Proclamation of April 12, 1875.

By his Excellency Richard Southey, Esq., Companion of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the Province of Griqualand West.

WHEREAS certain evil-disposed persons have, in opposition to my Proclamation No. 6, of the 20th of March last, continued to enrol themselves in illegal bodies, and

to arm and drill in defiance of Her Majesty's Government : and whereas on Monday, the 12th instant, certain of the aforesaid evil-disposed persons did openly assemble, under arms, in the town of Kimberley, with the avowed purpose and intent of then and there preventing by force of arms the execution of a sentence legally passed by a duly qualified Court of Justice : and whereas the said persons did then and there, with arms in their hands, wrongfully, unlawfully, maliciously, and violently resist the officers of justice, and did forcibly obstruct the passage of the said officers then and there engaged in the lawful discharge of their duty, by debarring, or attempting to debar, the said officers from having access to Her Majesty's jail with a prisoner then and there in lawful custody:

Now, therefore, I do hereby declare all such persons to be in rebellion against Her Majesty, and I do hereby call upon all loyal and well-disposed persons to enrol themselves for the maintenance of law and order pending the arrival of regular forces ; and I do hereby enjoin and call upon all Justices of the Peace in and for the district of Kimberley to receive the names of such persons, and to forward lists of the same to me, in order that such measures may be taken as I may deem necessary for the preservation of public tranquillity and the protection of property.

God Save the Queen !

Given under my hand and the public seal of the Province of Griqualand West at Kimberley, this 12th day of April, 1875.

(Signed) RICHARD SOUTHEY, *Lieutenant-Governor*.

By command of his Excellency the Lieutenant-Governor,

(Signed) JOHN B. CURREY, *Secretary to Government*.

Inclosure 9 in No. 24.

Minute on the State of Affairs in this Province.

IT is now fifty-three days since, at a meeting held in Kimberley Hall on the 3rd March, the population of Kimberley was called upon by certain members of an illegal association to take up arms for the avowed purpose of intimidating the Government and resisting the execution of the judgments of the law courts.

On the 15th March armed men illegally enrolled were openly drilling in defiance of the law.

On the 20th March I issued a Proclamation No. 6 (copy annexed) warning the inhabitants against illegal enrolling, drilling, and assembling in arms ; and on the same day a manifesto and a counter Proclamation were issued by Henry Tucker and William Ling, styling themselves respectively the Chairman and Treasurer of the Diggers' Protection Association of the Combined Camps.

The former of these documents set forth different grounds for the action of the malcontents from those which had occupied the attention of the meeting held on 3rd March, and the latter notified an intention of inducing Her Majesty's subjects to meet together " for mutual assistance and support."

In the evening of that day the enrolled bands paraded in the town under arms, and on the next day, Sunday, they patrolled the streets, assaulting and molesting coloured persons.

A point had thus been reached at which the persons engaged passed from passive resistance to open breeches of the law, and the Government had before it the alternative of enforcing the law at all hazards or yielding upon a point which not only involved the question of the control of the township, but the deeper and graver question of the relations between Her Majesty's white and coloured subjects.

One of the persons who had thus broken the law was prosecuted and convicted in due course, and it is worthy of note that he proved to be a subject of the Orange Free State without any stake whatever in this Province.

It was known to me by this time that the enrolled bands were not exclusively diggers or even Her Majesty's subjects ; that numerous adventurers and foreigners and even ex-convicts and persons of known bad characters were in their ranks, and that these men were being armed at the expense of the Association ; whilst I also knew that the association was deriving its funds, not only from voluntary subscriptions, but from exactions on merchants and traders enforced by intimidation.

It appeared on inquiry that there was, amongst many licensed dealers in guns and

gunpowder, a disposition to ignore the provisions of the law regulating the trade in those articles, and that, consequently, arms were easily obtained and distributed amongst the malcontents in open contravention of the law. Steps were taken to remedy this state of things by enforcing the law in all cases, and the dealers readily submitted in every case but one. This one I may state as follows:—

On the 12th instant a man named W. Cowie was convicted of delivering arms without the proper licence or permit to one Aylward, a known leader of the malcontents, and was sentenced to be imprisoned in default of the payment of the fine imposed.

A large force immediately assembled arms and barred the entrance to the gaol, and although the fine was ultimately paid, and the prisoner liberated in due course of law, it must be remembered that the officers of justice did not, and could not, carry out the lawful sentence of a competent court by lodging him in gaol.

The armed bands having thus openly interfered to stop the course of law, and having menaced with loaded weapons the officers of justice, when engaged in the lawful execution of their duty, it seemed to me that I had no course open to me but to declare them in rebellion against Her Majesty, and to call on all loyal subjects to enrol themselves for the maintenance of law and order, pending the arrival of regular forces. I accordingly issued a Proclamation, No. 10, to that effect, after it had been submitted to and approved of by the Ministers of the Executive Council.

Twelve days have elapsed since that Proclamation appeared. The number of volunteers who have enrolled at Kimberley is 182; the number of special constables 16; these latter are to be paid 10s. a day each.

From the latest reports obtained from the Inspector of Constabulary, there is no reason to suppose that the malcontents have ceased in their efforts to increase their numbers. They openly avow that they are waiting with arms in their hands to receive Sir H. Barkly's answer to certain proposals, and in the meantime they are doing all in their power, by false reports, by violent speeches, and by inflammatory writing in the two public prints which are under their control, to bring about a collision on the native question, which they think must inevitably result in the disqualifying of coloured persons as regards rights of digging and searching for diamonds.

In this position of affairs I desire to consult the Executive Council as to whether, in their opinion, it is possible, under the circumstances mentioned, to carry on Her Majesty's Government here, and enforce the law, without the presence of regular forces to maintain order and compel obedience to lawful judgments and decrees.

In my opinion it is not possible to carry on the Government of this Province, and to enforce the laws, without the support of regular forces, unless we enrol and arm coloured subjects of Her Majesty, which under existing circumstances I should regard as most objectionable; such an act would certainly lead to bloodshed.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

Kimberley, April 24, 1875.

Inclosure 10 in No. 24.

Extract from the Proceedings of the Executive Council, April 24, 1875.

LOOKING to the fact that the volunteers who have enrolled have come forward on the understanding that their services have been only asked for to maintain order pending the arrival of the regular forces, that even with the aid of the volunteers now enrolled the Government is not sufficiently strong to enforce the civil judgments of the law courts, or to arrest offenders, and that the present quiet attitude of the malcontents is avowedly only a temporary one pending a reply from the Governor to certain proposals, on which it is improbable that his Excellency's answer can be satisfactory to them, the Council expresses its opinion that the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government, and that the alternative of arming coloured persons is one which should not be resorted to.

Inclosure 11 in No. 24.

Sir,

Government House, Cape Town, May 6, 1875,

I HAVE the honour to acknowledge your despatch of the 24th ultimo, forwarding, for my information, a copy of a Minute you had addressed to the

Executive Council, and an extract from the proceeding of that body, expressing the (apparently) unanimous opinion of its members that, in the present position of affairs in the Province, "the presence of regular forces is absolutely necessary for the maintenance of Her Majesty's Government, and that the alternative of arming coloured persons should not be resorted to."

2. When thus consulting your Executive Council, I cannot for a moment suppose that the only information that your Excellency laid before them, as to your communications with myself on the subject, was the telegram of the 16th ultimo, from my aide-de-camp to your messenger at Colesberg; or that you omitted to mention that, by that same messenger, you had received from myself another telegram, written a few hours later, in cypher, in which I informed you that there would be time for me to hear your reasons for the course pursued in the prosecution of Cowie, before the troops could start, and to learn whether there was sufficient danger to life or property to warrant incurring the serious expense of such a movement, as the Commissariat required fourteen days to make the necessary arrangements.

3. The first telegram was sent off on the spur of the moment, shortly after your message reached me; the second when I had had an opportunity of perusing other accounts of the affair, and conferring with the Lieutenant-General Commanding as to the steps to be taken.

4. Neither, of course, had anything to do with the wording of the Proclamation which your Excellency had issued three days before (on the 13th), calling on all loyal subjects "to enrol for the maintenance of peace and order, pending the arrival of regular forces." You alone being responsible for the latter phrase, as neither from the public nor private communications you had, up to that date, received from me had you reason to suppose that I had made up my mind to send troops; but the contrary.

5. Of course, if I had from the first concurred in your view, that the members of the Diggers' Association were thoroughly disloyal, and bent on doing serious mischief, I should not have hesitated a moment to incur the responsibility and expense of such a measure; but believing, as I still do, that the great bulk of those who have joined it are well-disposed but misguided men, excited, first of all, by insecurity in the tenure of their property, to demonstrations of physical force, and then led on by political agitators to open defiance of the law. I have always considered that the movement could be suppressed without recourse to the bayonet.

6. In face, however, of the unanimous opinion of the Members of the Executive Council, and to avert, what I agree with them in thinking, the utterly inadmissible alternative of arming the coloured population, I have felt it impossible any longer to refrain from sending troops, and a requisition accordingly was made on the Lieutenant-General Commanding on the 4th instant.

7. I may add, that I was influenced in coming to this decision by the failure of my efforts to extract, from the Deputation sent to Cape Town, any definite pledge on the subject of disarming, and also by the receipt, from Colesberg, of your telegram of the 27th ultimo, in cypher, stating that, in defiance of the promise made when that Deputation left Kimberley, a large force had been under arms on the previous evening.

8. As the plans of the military authorities had been fully matured, they were able to send off an advanced guard of 100 men, by railway, to Wellington this morning, whence, it is expected, they will be able to start on Saturday (8th) in mule waggons; the rest of the column, as per margin,* will follow in a few days by the same mode of conveyance, which will enable it to reach the Diamond Fields much earlier than it would have done if it had started three week ago on foot, as originally suggested.

9. Requesting your Excellency to take an early opportunity of communicating this despatch to the Executive Council, I have, &c.

(Signed)

HENRY BARKLY,
Governor of Griqualand West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

* Royal Artillery—1 officer, 25 men, 2 Armstrong guns. 24th Regiment—190 rank and file, with a proportion of officers, non-commissioned officers, and 1 medical officer.

No. 25.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 11.)

My Lord,

Government House, Cape Town, May 14, 1875.

THE accompanying Petition to the Queen, praying for a Royal Commission of Inquiry into the present unhappy state of affairs in Griqualand West, has been forwarded to me by Mr. L. P. Ford, an attorney resident at Kimberley, who, as will be perceived from his letter, is desirous that it may be presented without delay to Her Majesty.

2. No report in reference thereto has yet reached me from the Lieutenant-Governor of that province, who, doubtless, in the midst of the armed opposition by which he is surrounded, has still more urgent calls upon his time. I do not feel justified, however, under present circumstances, in withholding the Petition from your Lordship, especially as any observations that Mr. Southey may have to make can be communicated by the following mail.

3. Failing these, I have to offer a few from myself on the allegations of the petitioners, most of whom, I am quite ready to take for granted, are, as they assert, loyal subjects, who have taken no part in the existing disturbances.

4. They attribute the dissatisfaction which has found vent in such disturbances to four causes.

First, "Over-taxation for the support of a Government too expensive for the requirements of the province."

As to this, I have to remark that the only increase of taxation on the mining community, of which I am aware, is the hospital tax of 1s. a month on native servants, recoverable from their wages, a measure which was supported by the votes of three out of the four elective members; that a very considerable reduction in the establishments is proposed on the estimates for the present year now before your Lordship, and that one of the principal reasons why expenditure cannot be more largely and rapidly reduced is the necessity of keeping up a strong police force in view of the turbulent spirit displayed by a certain section of the population.

The second cause of dissatisfaction is set down briefly as the "Land Question," meaning, I presume, the delay which has occurred in the selling of farms and the issue of titles. This has arisen mainly from disputed boundaries, unfounded or exorbitant land claims, and the difficulty of getting proper surveys executed; but the last is now being overcome, and a Bill to authorize the establishment of a Tribunal of First Instance to decide on the various claims filed, has been introduced, with your Lordship's sanction, into the Legislative Council. The land question, moreover, though a fertile source of political intrigues that have agitated the country, is not a grievance on which the Digger's Association lays much stress.

The third cause of dissatisfaction assigned in their Petition is "the management of native labourers." I can hardly suppose that, under this vague phraseology, the Petitioners intend to support the demand of the Association, that no persons of colour shall be allowed to receive a licence to search for diamonds, except upon the certificate of the Mining Board, in other words that they should be debarred as a class from holding licences at all. I am willing to believe that they refer rather to complaints that were made to me by the Deputation which came from Kimberley, that proper regulations as to native locations did not exist, and that the indiscriminate issue by the proprietors, without regard to character, of licences for washing the debris, afforded a cover to illicit traffic in diamonds. It would not be easy to devise a remedy for either of these evils, unless the estate were purchased by the Crown.

The fourth and last grievance alluded to by the Petitioners is "the inadequacy, and, in some respects, the oppressiveness of the laws relating to the working of the mines and the administration of justice."

It is difficult to comment on such indefinite charges; but it may be well to state that the question of amending the Mining Ordinance of last Session has already been mooted in the Legislative Council, and, as I understand, that the draft of a completely new Bill is being prepared under the directions of the Mining Board, with a view to its introduction by one of the members for Kimberley, there seems every probability that matters will be arranged to the satisfaction of the claimholders.

5. Your Lordship will, I think be satisfied by these few explanatory remarks, that the petitioners throw very little light on the causes which have led the diggers into armed opposition to the law, and make out no case whatever for incurring the expense, trouble, and delay of the Royal Commission which they pray for.

6. I am far from wishing to deny that recent events may not have rendered a full investigation by competent authority of all the main grievances referred to advantageous and desirable; but I must record my deliberate opinion that it would be most unfortunate if any such step on your Lordship's part should be allowed to stand in the way of that immediate and decisive action by which harmony and confidence can alone be restored.

7. The real source of the present alarming disorders which prevail at Kimberley lies, as I have in previous despatches informed your Lordship, in the antagonistic interests and hostile relations which exist between the proprietors of the Vooruitzicht Farm and the diggers and shopkeepers, whom they regard as their tenants at will; and the avowed object of the formation of the Diggers' Protection Association, and the arming and drilling subsequently carried on under its auspices, was to resist the execution of the judgment of the High Court against Ling, and in other cases which were expected to follow.

8. It is very remarkable that Mr. Ford, by whom the present petition to the Queen was got up, should so entirely have ignored this fact, for it so happens that it is put forward prominently, and as the sole ground on which a Royal Commission is needed, in an address, dated 8th ultimo, to Sir Garnet Wolseley, which his Excellency was good enough to forward for my information, and in which Mr. Ford's stands fifth of the nineteen signatures attached.

9. That address, which I take this opportunity of forwarding to your Lordship, expresses an earnest desire "that a Royal Commission should be appointed to investigate into, define, and settle as law, the origin, nature, and extent of the various and relative claims put forward respectively by the existing Government, the various companies of proprietors, and the mining communities, to the tenure, occupation, and use of the lands, together with the precious stones and minerals therein, which form this special district, known as the Dry Diggings of the South African Diamond Fields."

10. How a Royal Commission could deal with legal questions of this nature, or how any investigation into the rights and claims of private individuals could be satisfactorily conducted, except in a Court of Law, I am at a loss to conceive. I do believe, however, as asserted further on in the Address, that nothing short of a definite settlement of these matters will suffice to allay the unhealthy state of public feeling which the protracted struggle arising out of them has engendered, and that it is very desirable to clear away the doubt and uncertainty which from the same cause surround and endanger all banking and mercantile operations in the Province of Griqualand West; but this settlement can only be effected by the acquisition of the property on behalf of the community by the local Government, an acquisition which I again crave your Lordship's sanction to arrange with the proprietors on the best terms possible.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 25.

May it please your Excellency,

Kimberley, April 29, 1875.

I HAVE the honour to transmit herewith a Petition to Her Most Gracious Majesty the Queen, signed by about 1,000 of Her loyal subjects, who have taken no part in the late disturbances, praying for the appointment of a Royal Commission, and I would humbly request your Excellency to forward said Petition to Her Majesty without delay as soon as possible.

A certified copy of the above-mentioned Petition, with the signatures attached, has this day been forwarded to his Excellency R. Southey, Esq., Lieutenant-Governor of this Province.

I have, &c.

(Signed) L. P. FORD.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 25.

Petition.

To Her Most Gracious Majesty Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland and the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith.

The Petition of Her faithful subjects in the Province of Griqualand West,

Humbly sheweth,—

That for some time past there has been a growing dissatisfaction among the people of this Province.

That your Petitioners believe this dissatisfaction has arisen from very many causes, but principally from over-taxation for the support of a Government far too expensive for the requirements of this Province; the Land Question; the management of our native labourers; and the inadequacy—and in some respects the oppressiveness—of the laws relating to the working of the largest industry in this Province—the mine; and the administration of justice.

That the dissatisfaction is so general that your Petitioners do not consider the presence of troops now expected will tend to remove it, and they would most respectfully submit that the appointment of a Commission invested with the necessary powers to investigate and adjust the differences which have arisen will be hailed with much satisfaction by all classes of the community.

That your Petitioners are well-disposed, peaceable citizens, loyal to their Sovereign, and are only desirous of avoiding the threatened destruction of commerce and possible ruin of numbers of the community.

Wherefore your Petitioners humbly pray that your Majesty will be graciously pleased to grant to your loyal subjects the boon of a Royal Commission to inquire into and thereby ameliorate the present and unhappy state of affairs in this Province.

And your Petitioners, as in duty bound, will ever pray.

(Signatures follow.)

Inclosure 3 in No. 25.

An Address from the clergy, bankers, merchants, &c., of Kimberley, in the Province of Griqualand West, South Africa, to Major-General Sir Garnet Wolseley, G.C.M.G., K.C.B., Her Majesty's Special Commissioner, &c., for Natal.

May it please your Excellency,

WE the Undersigned, clergy, bankers, merchants, and other peaceable inhabitants of the Diamond Fields of Kimberley, in presence of events now imminently threatening to bring about a dissolution of our community, take the somewhat extraordinary step of addressing you as an English gentleman of exalted position, though not officially connected with us, in order to bring to your notice the very disturbed condition of this district, arising out of causes which, hitherto, have apparently not received from the Imperial authorities that attention which we believe, from their bearing upon the future unity of South Africa, they ought to receive.

That the origin of the present grave aspect of affairs here, both politically and socially, is some evil which lies deep-rooted, and is widely spread, is evident by the fact that the misguided persons, who, to the number of nearly 1,000 individuals, have actually been persuaded to resort to the last desperate protest of arms against a pressure of circumstances which, undoubtedly, has for some time harassed them, but which their leaders seem unable to define with any clearness, are from a wealthy section of the community, and amongst them are very many individuals who, in a Colony, may be denominated affluent. This pressure of circumstances also affects us, endangering our property, and threatening our very existence as a community; and although we take this somewhat irregular, but not unconstitutional, method of asking for relief, our conviction that speedy action in the matter by Her Majesty's Government is necessary, is quite as profound as that of our more demonstrative fellow-citizens, the miners.

To enter, even in outline, into the causes,—to the results of which we have

already directed your attention,—would be impossible within the limits of this Address, nor, indeed, do we consider it expedient here to express any opinions concerning them, except that an investigation into them, by a competent tribunal, is urgently necessary to prevent the complete disorganization of our already greatly disturbed social machinery; to which end, our earnest desire is that a Royal Commission should be appointed to investigate into, define, and settle as law, the origin, nature, and extent of the various and relative claims put forward respectively by the existing Government, the various companies of proprietors, and the mining communities, to the tenure, occupation, and use of the lands, together with the precious stones and minerals therein, which form this special district, known as the Dry Diggings of the South African Diamond Fields.

This, which in view of the large interests involved, cannot be called an unreasonable desire, we, with the utmost respect, beg you will, on our behalf, bring to the actual knowledge of Her Majesty's Secretary of State for the Colonies himself, and, in our name, request—as by this Address to you we do respectfully but urgently request—him to be pleased to advise Her Majesty, our Most Gracious Queen, to appoint such a Commission for the purposes stated, since we are convinced that no attempted settlement of these matters, by any tribunal of less solemnity and importance, will now suffice to allay that unhealthy state of public feeling with respect to British institutions, particularly amongst the Dutch settlers of the neighbouring independent States, which the protracted struggle arising out of these questions has engendered, not only here, but throughout all South Africa; or to clear away the doubt and uncertainty which, from the same cause, surrounds and endangers all banking and mercantile operations in this Province.

Praying that your Excellency will be pleased to grant this our earnest request, we beg to subscribe ourselves, &c.

Kimberley, April 8, 1875.

(Signatures follow.)

No. 26.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received June 11.)

My Lord,

Government House, Cape Town, May 15, 1875.

I HAVE the honour to transmit, for your Lordship's information, copies of further despatches from the Lieutenant-Governor as to the position of matters in Griqualand West.

2. The accounts they contain are extremely unsatisfactory; but I am glad to be able to add, that I have received from Mr. Southey a few hurried lines of a day's later date than his last despatch, covering a letter addressed by Mr. K. Tucker to myself, in which it is announced that the Diggers' Protection Association "is dissolved, in terms of Resolutions inclosed." These Resolutions will be found set forth in the inclosed extra to the Diamond Field newspaper, and of course, so far as they depend on the fulfilment of any promise contained in the letter written by the Secretary to Government in my name, there will be no difficulty.

3. Nothing is said, however, by Mr. Tucker, about disarming; and, as the deputation from the Moderates, still in Cape Town, confine themselves to equally vague phrases as to dissolving, I have not felt justified, as yet, in delaying the advance of the troops; but have directed a reply, reminding them of my specific stipulations on this head, to be sent to their communication.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 26.

Sir,

Lieutenant-Governor's Office, Kimberley, May 6, 1875.

IN continuation of my previous despatches on the subject of the position of affairs in this Province, and of the necessity which in my opinion exists for the presence of regular forces to maintain law and order, I have the honour to submit, for your Excellency's information, copy of a formal communication addressed to me by the elected members of the Legislative Council, expressing their opinion that it is

neither desirable nor prudent for the Council to continue in Session under the present circumstances.

2. I have felt that great weight must be attached to the representation thus unanimously made by the unofficial members of the Council, and though I have not felt prepared to close the Session, a motion to adjourn for a week was yesterday made by my directions, and carried, and a further adjournment can be made of it if it should appear desirable when that time has expired.

3. I may here mention that after I had formally opened the Session, but before the Council met for the dispatch of business, Dr. Graham, the senior member for Kimberley, called upon me and urged that the Council should not sit whilst the Diggers' Association remained in arms, for the avowed purpose of resisting the law and intimidating the Government. I was personally disposed to agree to some extent with Dr. Graham, but I was sensible of the great importance of leaving it open to the malcontents to set about the redress of their grievances in a Constitutional manner through the Legislative Council, and in the hope that advantage would be taken of the opening of the Session to bring forward for discussion the measures they desired to see enacted, and in view also of the necessity for taking steps to secure the public creditors, I felt bound to proceed in the course I had laid down.

4. The Government measures as yet introduced are the Loan Ordinances and the Land Court Ordinance, all of which are passed. No other Government measures are ready. We are not yet in a position to proceed with the Estimates, and no notice has been given of the introduction of Ordinances by any of the elected members. No inconvenience will therefore be caused by the adjournment, and it would in my opinion have been neither prudent nor just to the unofficial members to insist on holding our usual sittings in opposition to their formal and deliberate opinion.

5. I have further the honour to forward to your Excellency a copy of a letter received by me this day from his Honour the Acting Recorder, on the subject of the non-execution of his Judgment in the case of Ebden *v.* Ling, in which you are aware the owners of the farm Vooruitzicht, on which the township of Kimberley is situated, sought to eject a digger who refused to pay rent for a plot of ground in the town, which he maintained he had a right to occupy rent free in virtue of his being a digger.

6. With reference to this communication, I regret to be obliged to state that the Judgment in question has not been, and at present cannot be carried out. Your Excellency will not have failed to observe that at a meeting of the 15th ultimo, at which it was agreed to send the deputation to wait upon you, Ling, the defendant in the case, and one of the avowed leaders of the armed men, on the 12th ultimo openly refused to disarm under any circumstances, and I have no doubt that any attempt to carry out the Recorder's Judgment would result in another and possibly more serious manifestation on the part of his adherents.

7. I have also received a communication from thirteen unofficial Justices of the Peace, who have exerted themselves to induce loyal subjects to enrol in terms of my Proclamation No. 10, of the 12th ultimo, expressing their fears that unless some assurances be given of your Excellency's intention to send regular forces, pending whose arrival only they have as yet consented to serve, a majority of the volunteers will beg to be allowed to withdraw.

I inclose a copy of this communication for your Excellency's perusal, and I shall be glad to receive your instructions as to the reply I should make to it.

8. As regards the events of the last few days, I have only to report that a meeting was held yesterday, for the purpose of considering the course which should be adopted in reference to the recent action of the elected members of the Legislature. No report of the proceedings has yet been published, but I beg to draw your Excellency's attention to this day's "Diamond News," of which I inclose a copy, from which it will be seen that a motion to the effect that the "Association" should disband and disarm before any constitutional action was taken, was not carried.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 26.

Sir,

Barkly, May 5, 1875.

I HAVE the honour to draw your attention to the circumstance that the judgment delivered by me in an important case tried in the High Court, execution of which I refused to stay, due security *de restituendo* being lodged, has not yet been carried out.

When an application to stay execution, and for leave to appeal, was made in this Court on the 4th day of March last, I felt it my duty to say that under the circumstances, as the defendant had not during the trial of the cause abstained from his now proved trespass, his conduct in applying for a stay of execution amounted to little less than a contempt of court. I am of that opinion still, and with great regret reflect that he was acting under the advice of counsel at the time. I did not by any means disguise this opinion when the motion was made, for I have always thought the case was one in which a clear understanding must be established and maintained throughout.

Leave to appeal was therefore granted, the security having been duly lodged; the plaintiff is at liberty to put his writ into the hands of the Sheriff; this I did not press until the bond had been deposited, but now that all technical form has been complied with, I would respectfully urge upon your Excellency that, be my judgment right or wrong, it must be carried out.

If it be found that a decree may be resisted with impunity, because it is unpopular, a very serious blow will be inflicted on the cause of order.

I have, &c.

(Signed)

JOHN C. THOMPSON, *Acting Recorder.*

His Excellency R. Southey, Esq., C.M.G.,

&c

&c.

&c.

Inclosure 3 in No. 26.

To his Excellency Richard Southey, Esq., C.M.G., Lieutenant-Governor of Griqualand West.

WE, the undersigned unofficial Justices of the Peace for the district of Kimberley, beg respectfully to bring the following facts to your Excellency's notice.

That in accordance with your Excellency's Proclamation, No. 10 of 1875, dated 12th ultimo, we received the names of loyal and well-disposed persons, who have since enrolled themselves as volunteers, for the maintenance of law and order, pending the arrival of regular forces.

That the avocations of the persons so enrolled, and who are now doing duty as guards, are such that the said duty is performed at great inconvenience and considerable expense to them.

That the delay which has taken place in the arrival of regular forces causes much irritation, and gives great dissatisfaction to such loyal and well-disposed persons as have already enrolled themselves, and we fear that unless some assurance be given of the speedy arrival of such forces, a large majority of the volunteers now enrolled will withdraw their names, whilst others who are prepared to join will be deterred from so doing.

We have, &c.

(Signed)

JOHN FRY, J.P.

GEORGE PATON, J.P.

H. GREEN, J.P.

(And 10 other J.P.'s.)

Inclosure 4 in No. 26.

Protest.

THE following protest against the action of the Associationists has been handed to his Excellency the Lieutenant-Governor of Griqualand West:—

We, the undersigned elected members of the Legislative Council of Griqualand West, desire to convey to the Lieutenant-Governor an expression of our opinion that it is neither desirable nor prudent for the Council to continue in session while a large number of persons who have unlawfully enrolled themselves remain so enrolled, and

under arms for the purpose of resisting the laws and preventing the Government from enforcing a due observance of them.

It is our opinion that the work of legislation cannot be properly or safely conducted under such circumstances, and we wish to impress upon his Excellency our conviction that the position of affairs is dangerous in the extreme.

We learned with great satisfaction that the Governor had resolved upon sending a strong detachment of troops to this Province to enable the Executive to maintain order and compel obedience to the laws in force, and we sincerely hope that all possible expedition will be observed in their movements, for we believe that in the absence of such a force there is imminent risk of bloodshed resulting from the existing state of affairs, and we believe that it is not desirable to keep one portion of the community armed against another portion for a longer period than is absolutely unavoidable.

The armed demonstration, by an unlawfully formed Association, to which we have adverted, has been made for the acknowledged purpose of forcing upon the Executive the adoption of measures not warranted by law, and we deem it of the utmost importance not to yield to such an exhibition of force, believing that any such yielding would be fraught with most disastrous consequences.

(Sighed) P. J. HARDMAN GRAHAM, M.L.C., *Kimberley*,
Vice-President.

H. GREEN, M.L.C., *Kimberley.*

FRANCIS THOMPSON, M.L.C., *Barkly.*

DAVID ARNOT, M.L.C., *Hay.*

Legislative Council Chamber, Kimberley, April 29, 1875.

Inclosure 5 in No. 26.

Sir, *Lieutenant-Governor's Office, Kimberley, May 8, 1875.*

WITH reference to my despatch of the 6th instant and to my previous communications on the subject of the condition of matters in this Province, I have now the honour to forward, for your Excellency's information, copies of the "Mining Gazette" of the 7th instant and of the "Diamond News" and "Diamond Field" newspaper of this day's date, all of which contain reports of the meeting which, as I informed you, was held on the 5th instant to consider what steps should be taken in consequence of the unofficial members of the Legislative Council having formally expressed an opinion that, under existing circumstances, the Council should not continue in session.

2. In the despatch to which I have above referred, I also drew your Excellency's attention to the fact that a motion, or rather an amendment to a resolution, condemnatory to the action of the elected members, to the effect that the Association should disband and disarm before any constitutional measures were initiated, was not carried.

3. Your Excellency will now see, from the published reports, that in a meeting which, according to the "Diamond Field," was attended by upwards of 700 persons, only 13, according to the "Mining Gazette," voted for the disbanding and disarming.

The Amendment was moved by Mr. Coryndon, a leading attorney here, and seconded by Dr. Cumming, a respectable medical practitioner. Mr. Coryndon's speech appears to have been well calculated to carry moderate men with him, but I am informed that it was with difficulty he even obtained a hearing.

4. I must draw your Excellency's attention to some of the remarks made by Dr. Murphy, one of the speakers, who, in moving a resolution, stated, amidst cheers, that all the grievances arise from the constitution which does not admit of pressure being put on the Executive by providing, as they had hoped it would, for a majority of elected members.

5. The only event of importance since the date of my despatch before referred to, has been the committal for trial, to-day, on a charge of murder, of one Lowenberg, a member of the armed German company. It was freely said that an attempt would be made to rescue him if he was committed, but Captain Carr had made arrangements for the presence of a strong force of volunteers in and about the gaol, which is now too strong to make an attack on it probable, and no disturbance took place.

6. It is currently reported that two 9-pounder Armstrong guns have been brought into the camp and are concealed in buildings ready for use. I shall endeavour to ascertain whether there is any foundation for these rumours.

7. In conclusion, I regret to have to inform your Excellency that, although the receipt, yesterday evening, of your telegram of the 4th instant, to the effect that the

troops would positively march on the 6th instant, was calculated to convince even the most violent of the agitators that submission was the best course open to them, I am told by persons of the highest character who have endeavoured to reason with Ling, that he remains fixed in his resolve to resist even regular forces, and to go through with what he has commenced. I feel bound to mention this, for Ling, though an uneducated man, is one whose earnestness gains him many followers amongst the diggers, irrespective of the aliens and reckless adventurers who are desirous of seeing confusion and disorder.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 6 in No. 26.

Extra to the "Diamond Field" of May 8, 1875.

"Diamond Field" Office, 10 P.M.

THE MODERATES.—A MEETING of the Moderate party was held to-day at the office of the Secretary, H. Longlands, Esq. It was very influentially attended; J. B. Robinson, Esq., Chairman.

It was resolved unanimously—

1. That this meeting hails with much satisfaction the reception by Sir Henry Barkly of the delegates from the public of Kimberley. That, in the opinion of this meeting, every means should be adopted to remove as much as practicable the differences and difficulties now existing. That it has been ascertained his Excellency the Governor, through the Lieutenant-Governor of Griqualand West, has, by letter dated yesterday, made it a condition, precedent to the adoption of any conciliatory measures, the disbandment of the Associationists. That this meeting would earnestly solicit the Chairman and members of that organization to comply with a request which they consider, under the circumstances, to be a reasonable one, and thus promote a speedy discussion and solution of many of the grievances under which the inhabitants of this Province are labouring.

2. That the Chairman, J. B. Robinson, Esq., be authorized to telegraph to the delegates a synopsis of this resolution, and of the reply received from the Associationists.

Reply Received.

Resolved,—“That the Association do now dissolve, on the faith of Sir H. Barkly's letter through Mr. Currey of yesterday's date, and on the express wish of the Moderate party in their letter now read, and on the advices received from the deputation to Sir H. Barkly.”

(Signed) H. TUCKER, *Chairman.*

Telegram despatched this Evening.

J. B. Robinson, Kimberley, to the Delegates, Cape Town.

Meeting of 700 Moderate men on Wednesday last.

Resolution of indignation at the so-called protest of the elected members of Council, seeking the presence of troops.

Green and Graham asked to resign.

The Governor asked to dissolve the Council, and by fresh election restore confidence.

Chairman directed to send the resolution to Sir H. Barkly. Are sent by post.

The Committee of Moderates met this morning and heard the letter read from Honourable J. B. Currey, by order of the Governor, Sir H. Barkly, conveying the intelligence to the Association that if it dissolves of its own accord, punishment will be averted, and the troops not be sent.

Committee have confidence that his Excellency will proclaim a general amnesty, and cause grievances long complained of to be redressed at once.

Committee of Moderates to the Associationists, by letter to-day, urgently recommends the Association to dissolve, as desired by his Excellency the Governor.

You are requested to communicate this to Sir Henry Barkly.

Associationists' Meeting, this day, 4 P.M.

Resolved, after three hours' discussion,—

That as in a letter dated 7th May, signed J. B. Currey, Secretary to Government, who states that he is directed to write in the name of Sir H. Barkly, the following passage occurs:—

“His Excellency hopes to hear by the earliest opportunity that the Association has dissolved of its own accord,” so as to avert the punishment which must otherwise necessarily fall on its members, and put a stop to the ruinous expense which the movement of a column of Her Majesty's troops from Cape Town to the Diamond Fields will entail on the finance of this province; and as the deputation to Sir H. Barkly has informed the Association that it is desirable, in order to secure the presence of Sir H. Barkly here and a remedy of our grievances, that the Association should dissolve; and as the Committee of the Moderate party have in their letter of this day's date pressed the same course on the Association:

Resolved,—That the Association do now dissolve, on the basis understood to be indicated in the letter sent through Mr. Currey already named, by a general amnesty and redress of grievances.

(Signed) H. TUCKER, *Chairman.*

Present State of Justice in Griqualand West.

Resident Magistrate's Court, Kimberley.—Before R. K. H. D'Arcy, Esq., R.M.

Grussendorf & Co. v. sundry Debtors.

Mr. Sheean appeared on behalf of the plaintiffs, who sued certain parties, in three different cases, for debts due and owing. The Magistrate postponed these cases for a week, on grounds which he at the time declined to give.

T. Brofhy v. Grussendorf, for Civil Imprisonment.

Messrs. Howard and Rawstorne, in this case, sued on behalf of plaintiff for civil imprisonment.

Mr. Sheean, for defendant, offered terms, 1*l.* per week.

The Magistrate declined the offer, and gave a decree of six weeks' civil imprisonment. His Worship then stated to Mr. Sheean that his grounds for postponing the other three previous cases were to enable him to see whether Mr. Grussendorf, under the Proclamation of the 13th April, 1875, was not precluded from appearing in any Court.

The Proclamation alluded to by the Magistrate declares certain persons to be in rebellion against Her Majesty. It would thus appear that while the monstrous doctrine has been laid down that a *citizen*, without arrest, trial, or proof of guilt, can be treated as a rebel and denied the privileges of suing another for ordinary debt, he can, nevertheless, be treated as personally liable for his civil acts, and subjected to a long term of imprisonment, the Court refusing even the ordinarily accepted tender of periodical payments on account. Although some Magistrates may be “suspended” for giving decisions calculated to embarrass the Executive in the work of Government, it is quite clear that all Magistrates in Griqualand West are not chargeable with the same grave offence.—[Ed. “Diamond Field.”]

ANOTHER ALLEGED LIBEL.—W. Hall, Esq., representing Messrs. Walshe and Co., of the Kimberley Tramway, &c., has, through Messrs. Graham and Fischer, attorneys demanded an ample apology, or 5,000*l.*, from the proprietors of the “Diamond News,” for the insinuations and statements contained in the two last issues of that paper.

Inclosure 7 in No. 26.

Gentlemen,

Private Secretary's Office, Cape Town, May 15, 1875.

THE Governor learns with pleasure that the association is dissolved. He understands by this, as already explained verbally, and by my letter of the 7th instant, that the Diggers' Protection Association has not merely ceased to drill and disbanded its so-called corps altogether, but that all guns and ammunition, arms and accoutrements of whatsoever description belonging to the late Association, or acquired in any way by its members without lawful authority since the Association was founded, will be forthwith given up to the local authorities.

Without this the dissolution of the Association would be a mockery and a delusion, as an armed organization to resist the operation of the laws might be formed next day under some other title.

On being satisfied on this point, an amnesty will be proclaimed, as promised in my letter already referred to, to all except the leaders—say six in number.

The Governor will likewise thereupon give orders for the return of the troops to Cape Town, reserving to himself, however, full discretionary power to direct the detachment now in the Karoo to continue its march if he shall see fit to do so.

It is the Governor's intention to pay a visit to Griqualand West as soon as the Session of Parliament here is over.

I have, &c.

(Signed)

ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Ransch,
K. Tucker,
A. J. Goodchild, and
W. Reid.

No. 27.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, June 15, 1875.

I HAVE received your despatch of 5th of May,* with its inclosures, furnishing further reports of the position of affairs at the Diamond Fields.

I approve the course you pursued in receiving the deputation who had proceeded to Cape Town to seek an interview with you, and I consider that the pledge which you required as a condition of your presence at the Diamond Fields, namely, that the Diggers' Association should disarm, was right and prudent, though it may perhaps not prove practicable for you to maintain this condition without some modification.

I observe that you explained to the deputation that disarming was to include the surrender of all arms for which no permits could be produced.

I propose to meet the difficulty arising from the provision in your Commission, that absence in Griqualand should not be deemed to be absence from the Cape, by forwarding to you, with the least possible delay, a supplementary Commission, empowering the Lieutenant-Governor, or, in his absence, a person to be named by the Governor, to discharge such of the duties of Governor as the Governor may assign to him while the latter is within the limits of any province or territory in respect of which he holds a Commission.

I have, &c.

(Signed)

CARNARVON.

No. 28.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, June 15, 1875.

I HAVE to acknowledge the receipt of your despatch of the 14th May,† in which you forward a Petition to the Queen from certain inhabitants of Griqualand West, praying for a Royal Commission of Inquiry into the state of affairs in that Province.

* No. 23.

† No. 25.

I have to instruct you to inform the petitioners that their Petition has been laid before the Queen, who was pleased to receive it very graciously; but that, as questions of grave importance in connection with Griqualand are now pending, I have not thought this a convenient opportunity of tendering Her Majesty any specific advice on the subjects referred to by the petitioners.

I have, &c.
(Signed) CARNARVON.

No. 29.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir, *Downing Street, June 15, 1875.*

I HAVE received your despatch of the 15th of May,* and I learn from it with regret that no improvement had taken place in the state of affairs in Griqualand West, beyond the fact, reported by Mr. Southey, of the dissolution of the Diggers' Association.

Pending the further information which I shall doubtless receive, it will, probably be best to reserve the general expression of opinion on these transactions.

I have, &c.
(Signed) CARNARVON.

No. 30.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir, *Downing Street, June 15, 1875.*

I INCLOSE a copy of a very interesting Memorandum which has been prepared at my request by President Burgers on the present condition of the natives in the South African Republic.

I have received this communication with much satisfaction, indicating, as it does, a disposition to adopt those sound and humane principles of native Government, without which the agreement on a common policy would be impossible, but as to which I entertain the hope that a complete and satisfactory understanding may be arrived at in the Conference which I have proposed in my despatch of the 4th of May.†

I have, &c.
(Signed) CARNARVON.

Inclosure in No. 30.

Memorandum by President Burgers.—(Received June 5, 1875.)

WHEN, in 1852, the South African Republic was recognized by Her Majesty's Government in the Treaty of Sand River, the emigrant farmers to the north of the Vaal River were not united under one Government, but followed their respective Chiefs in three different parts of the Transvaal territory. These Chiefs were called Commandant-Generals. One party, living near and to the south of the Magaliesberg, followed Andries Pretorius, and constituted themselves into the South African Republic, adopting, in a general assembly of delegates, a Constitution in conformity with the stipulations of the Sand River Treaty. Another party, living about the north point of the Drakenberg, in the district of Lydenberg, maintained an independence of their own under a kind of Military Government. The third party, living about the Zoutpansberg, to the north of the territory, and whose occupation consisted chiefly in hunting and trading with ivory, &c., held aloof from the South African Republic, until a few years later, when they were induced to follow the example of the Lydenberg Republic, who had united themselves to Pretorius' party after the framing of their Constitution, and to join the South African Republic. During this time, that is, before the final union of all the different parts of the

* No. 26.

† Vide Command Paper [C. 1244], May 1875

territory, Pretorius' Government endeavoured, as is shown by their Constitution, and repeated Proclamations, to adhere strictly to the terms of the Sand River Treaty; but having no power over the two other dependent parties, they could not prevent a different line of policy regarding the treatment of the natives carried on in these parts—hence the difference in the native policy which gave rise to so much difficulty and misunderstanding north of the Vaal River.

As these outlying stations or settlements numbered among their inhabitants men of a roving disposition and of a wild temper, other men of similar disposition were induced to join them. Thus it happened that they came into connection with trading parties from the eastern coast, by whom they were induced, through supplies of ammunition and fire-arms, to render aid in carrying out the inhuman traffic in "black ivory," as they called it, that is, native children.

This custom soon became known to the Government of the South African Republic through hunters from the Republic going up to those parts and returning in some case with destitute children in their possession; the Government exerted its influence with no small amount of success to bring these independent parties or factions under the influence of the law. Ever since the final union of these parties with the Republic these illegitimate and inhuman practices have been to a great extent suppressed.

Through the practices above described it naturally happened that frequent disturbances were created between the white settlers and the natives, which often ended in warfare and bloodshed, bringing many destitute women and children into the hands of the victors. The Government finding it impossible in all cases to restore these captives to their nearest relatives, adopted the system of apprenticeship, by which they were indentured to different parties on the same principles as are adopted in the Cape Colony with regard to prize negroes.

This practice of apprenticeship had already been carried out in Lydenberg. But, however good the intention of Government, experience soon proved that something more is required in a country than good laws in order to prevent evil practices, and with their best endeavours the Government could not always prevent abuses of the apprenticeship system. As the different parties, however, in course of time gradually amalgamated, and law and order were better established, the cause which produced those unfortunate apprenticeships, viz., war and its evil consequences, gradually became of less force, and the evil subsided in proportion.

These facts not being understood or known gave rise to the misapprehension which has thrown the stain of slavery upon the Government of the South African Republic. In a late inquiry made by that Government to ascertain the truth of this accusation, it was found that not a single instance could be named in which slavery was carried on in the Republic with the sanction of the Government.

No doubt, as is always the case in new and sparsely populated countries, the intentions of the Government were frustrated, and, in spite of all precaution, the system of apprenticeship in many cases was abused. Since the memorable civil war of 1865, however, in which the Pretorius party finally triumphed, such abuses have been fairly put down.

Naturally, in the South African Republic, as in the Cape Colony and in Natal, the strictest supervision over ill-treatment of servants on the part of bad masters continues to be evaded, as any other law may be evaded. Instances occur in which such people carry on their misconduct without being punished. Such cases are sometimes made known to travellers or missionaries, but they are often misrepresented, as a direct toleration of abuse on the part of Government.

The present condition of the natives shows that the stigma thrown upon the South African Republic is not deserved; we have only to look at the policy of the Government, and the present condition of the Kaffirs living in the Republic, as compared with their former condition under the iron rod of their oppressor, Moselekatzi, from whom they have been delivered. Chieftains such as Moilo, Magata, Mamagali, Magali, Mapoch, Magapaan, Matlabi, and others, who are the descendants of the original Chiefs of the country whose subjects were almost entirely swept off by the war-hounds of Moselekatzi, and who were found by the emigrants in the position of dogs, as they were called by Moselekatzi, with only a few half-starved remnants of their tribes around them, are now grown into great and wealthy Chiefs, living upon ground reserved for them by Government; and these are the men whose opinion would be of value if consulted as regards the conduct of the Government towards the native tribes. Their testimony would be found quite the reverse of what is laid at the door of the Government of the South African Republic.

Thus these territories, which, after the emigrants had driven Moselekatzi north of the Limpopo, were literally a waste without a single inhabitant, are now densely populated by remnants of scattered native tribes, who from time to time fled from their oppressors to the protection of the South African Republic; and, even at present, the Government has great difficulty in supplying all applicants with places of abode. At present the policy of the Government towards the native is, to my idea, almost too lenient, as the question of native treatment should always be considered with a view to secure a gradual transition from one condition into another; and no policy will be found good in practice which does not have regard to the former condition of the natives. To raise a man born in slavery at once from a state of bondage to a condition of perfect freedom and equality with the white race is both detrimental to society and to these people themselves.

The natives who, in Natal and in the Transvaal, are now living under civilized Governments, were formerly not only under the severe rule of their savage Kings, but most of the Transvaal natives were in the condition towards their conquerors of "slaves" and "dogs," as they were called, not being of the same tribe as their oppressors.

To bring them over at once from the state of slavery under a barbarous Government, and place them in a condition of free citizens in a civilized community, is too rapid a transition; it is both unnatural and impolitic, hence the suggestions which I have, on a former occasion, made.

This is, to the best of my judgment, the history and character of the native policy which formerly prevailed in the Transvaal Territory.

No. 31.

Colonial Office to President Burgers.

Sir,

Downing Street, June 15, 1875.

I AM directed by the Earl of Carnarvon to express to you his best thanks for the Memorandum* on the condition of the natives in the Transvaal Republic which you have been good enough to send him. Lord Carnarvon thinks it of so much importance that he has forwarded a copy to Sir H. Barkly, and as you may perhaps care to know the terms in which he has forwarded it, I am directed to inclose a copy.

I am, &c.
(Signed) R. H. MEADE.

No. 32.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord,

Government House, Cape Town, May 31, 1875.

YOUR Lordship is aware that in my opinion the only effectual way of putting a stop to existing difficulties at Kimberley is to be found in the acquisition by the Crown of the farm on which the township, including the diamond mines, is situated, and that negotiations for this purpose have been going on privately for some months past between the representative of the registered owner and myself.

2. It will be seen from the copies of correspondence inclosed that, after an interchange of communications with the Lieutenant-Governor, who strongly recommended that Vooruitzicht should be bought for the sum of 80,000*l.*, assumed by him to be about equivalent to four years' purchase of the rental actually derived from surface rights, I, early in March, placed myself in communication with Mr. J. X. Merriman, M.L.A., one of Mr. Alfred Ebdens' associates in the concern, offering, subject to your Lordship's approval, 50,000*l.*, to be paid in 6 per cent. debentures, redeemable within ten years. That this offer was at once rejected, the lowest price named being 100,000*l.*, and that afterwards, influenced by the critical state of affairs which had by this time arisen in consequence of the judgment obtained by the proprietors against Ling, I, on the 17th ultimo, informed Mr. Merriman that I was prepared to go as far as 80,000*l.*, which likewise was peremptorily refused.

* Inclosure in No. 30.

3. Matters remained in this state for nearly a month longer, until, on the 14th instant, I received telegrams from Mr. Southey, informing me that a number of the most wealthy and influential persons at Kimberley, seeing the deplorable state of affairs, had waited on him to urge that the demand of 100,000*l.* should be complied with, they engaging to bear the Government harmless by taking the purchase off its hands, in the event of the Secretary of State for the Colonies not sanctioning the scheme.

4. As it had in the interim become incumbent upon me to send up a military force to the Diamond Fields to maintain the authority of Her Majesty's Courts of Law, in consequence of the armed opposition to their judgments, threatened by the Diggers' Protection Association, and as I had moreover received private information to the effect that the proprietors contemplated, soon after the troops got there, not merely proceeding to enforce the increased rates of payment for the rent of stands, which they had vainly tried to exact last year, but to raise the rate of diggers' licenses also, it appeared to me that, in view of the further complications which were thus certain to arise, hesitation on my part was no longer justifiable, and that, backed by the guarantee referred to, I was bound to close with Mr. Ebden's offer whilst it still remained in my power to do so.

5. I accordingly at once notified that I was prepared to purchase the farm with all rights and claims on the conditions already named, for the sum of 100,000*l.*; and, after considerable discussion as to the details of the arrangement, a provisional yet binding agreement, drawn up by Messrs. Reid and Nephew, solicitors to the Cape Government, has been this day executed, copy of which I have the honour herewith to submit for your Lordship's favourable consideration.

6. The reasons which render the acquisition of the property by Government desirable are so obvious, and the advantages derivable therefrom are so clearly set forth in the accompanying despatches from the Lieutenant-Governor, that it seems only necessary for me here briefly to recapitulate the principal.

7. In the first place, it puts a stop to a lawsuit, certain to be protracted and expensive, regarding the boundaries of the original grant, as well as the respective claims of the Crown and of the quit-rent grantee to the precious stones found therein, the latter question involving a demand for an account, from the commencement, of all moneys received for digging licences, and a refund by the Government of, at the least, 5,000*l.* or 6,000*l.*, now abandoned.

8. Secondly, it tends greatly to the restoration and maintenance of tranquillity by giving assurance to diggers and standholders of permanent interest in the improvements made by their industry, and securing them against sudden and arbitrary increase in the rates for licences, or actions for the recovery of rent for the past exercise of privileges, which are invariably conceded gratis on Crown lands. They will be placed, in short, henceforth on the same footing on which they stood prior to annexation, under the Free State Ordinance No. 3 of 1871, and which was at once, following the precedents of Australia and California, conceded to gold-miners in the adjacent South African Republic.

9. Thirdly, it will enable the Government to go further, and sell, in freehold, both mining claims and sites for buildings. Hitherto, it has been impossible to give a title of any sort, and nobody would, in consequence, invest more capital than was absolutely requisite, nor erect substantial or permanent stores.

10. Fourthly, it will give the Government itself the choice of the most eligible sites for public buildings and, at the same time, extricate it from the awkward predicament of having already spent 20,000*l.* to 30,000*l.* in constructing gaols, Court rooms, offices, &c., under authority of mere verbal permission alone from the proprietor.

11. Fifthly, municipal institutions can be established, and sanitary improvements effected, which were out of the question so long as the whole estate remained the private property of a single individual.

12. Sixthly, it will admit of an amicable and practical solution of the very difficult and complicated question of the rights to the *débris*, i.e., roughly sifted soil, removed in early days from the mine, and piled up by the diggers in mounds as comparatively worthless, but which, now that the water pumped from the mine has become so abundant as to admit of the employment of washing machines, being proved to be full of small diamonds, and of immense value, is claimed by the proprietors, though their claim, albeit supported by a decision of the High Court, has been set at naught.

13. Part, at least, of the revenue derived from this source may now be fairly

made available for facilitating the working of the mine, and ensuring the safety of the miners, by "taking down the reef," as sloping away the rocky margin of the crater is termed, keeping it clear of water by steam-engines, &c.

14. Lastly, while productive of all these benefits, the purchase is in itself a perfectly sound financial operation. I was disposed at the commencement to doubt whether, if the Government paid anything like so large a price, it would be able to recoup itself so quickly as was predicted, by reselling the lots occupied by the stand-holders, but further inquiries have quite satisfied my scruples on this score.

15. The most conclusive proof, indeed, that the farm has not been over-valued is furnished by the letter of guarantee herewith forwarded, as well as by the fact that two other parties were in the field for the purchase, one having actually offered 50,000*l.* down, and the remaining moiety in cash at the end of a few months only.

16. Were I to add that all three offers, so far as I can learn, were *bond fide*, and not even based on aid expected from abroad, it might occasion surprise. It will, however, give some idea of the wealth accumulated at the Diamond Fields during the last three or four years, when I mention that the deposits on call in the local branch banks generally average 300,000*l.* sterling.

17. If it be said that these offers were based on, the value of the farm as a mere commercial speculation, it is assuredly sufficient to reply that it must be worth far more to the Government, which alone is in a position to give an indefeasible title on resale, than it can possibly be to anyone else.

18. Or if, on the other hand, it be argued that it was needless for the Government to interfere, as tranquillity could have been restored by letting it fall into the hands of an association of diggers, as I at one time myself contemplated would be the result,—the answer is clear that, in this case, neither a compromise of the law suit, individual fixity of tenure, sales in freehold, the establishment of a municipality, nor the settlement of the *débris* question, would have been in the slightest degree advanced, whilst the incorporation of a fresh band of speculators, anxious to realize enhanced profits on investments far heavier than those of their predecessors, could have had no other effect than to aggravate existing evils, and, probably, from the length to which party feeling has run on the spot, exposed the Government to enormous demands for ground rent, or to other annoyances which a wealthy mercantile proprietary resident in Port Elizabeth and Cape Town would never have dreamt of.

19. For all these reasons I most earnestly trust that your Lordship will be pleased to signify approval of the purchase, so as to admit of such approval being formally communicated to Mr. Ebdon by or before the day fixed in the Deed of Agreement, viz., 30th September next; and will likewise advise Her Majesty to leave the contemplated Ordinance for the creation of the debentures to its operation.

20. Whether it will be well hereafter to buy out the London and South African Exploration Company is a question which can very well stand over for future consideration. At present very few claims are being worked, either at Du Toit's Pan or Bultfontein, and the value of the properties is comparatively small, but it might still be serviceable, with a view to uniformity of regulations and other matters, for Government to acquire proprietary control over them.

21. I will only, in conclusion, add that, although the same favourable terms of payment granted to the Government by the proprietors of Vooruitzicht have not been secured for the guarantors, with whom they declined any direct dealings, three months only being allowed for payment of the entire purchase-money in the event of your Lordship withholding your sanction, I do not apprehend that the local Government would have the slightest difficulty, either now or then, in transferring the farm to the gentleman who signed the guarantee, or otherwise getting rid of their bargain.

22. How, in such case, it will be practicable to surmount the obstacles hereinbefore referred to, to the successful administration of affairs in Griqua-Land West, it will rest with your Lordship to determine.

I have, &c.

(Signed)

HENRY BARKLY.

Inclosure 1 in No. 32.

(Private and Confidential.)

*Lieutenant-Governor's Office, Kimberley,
February 25, 1875.*

Sir,

THE present appears to me to be an appropriate time for me to address your Excellency upon the subject of the questions pending between the proprietors of the quit-rent title to the farm Vooruitzigt and the Government.

2. You are aware that the said proprietors hold that the Kimberley and De Beer's diamond mines, formerly known as the "New Rush," or "Colesberg Kopje," and "Old De Beers," are situated within the boundaries of their farm; that the title to it is free from any Crown rights in the precious stones, and that, therefore, they are entitled to all the privileges provided for by the 29th section of your Excellency's Proclamation No. 71 of 1871, in respect of lands, the property of private persons, the title to which land is not subject to any reservation of precious stones or minerals in favour of the Crown.

3. You are further aware that, on the 17th November, 1871, the Commissioners then administering the Government issued a Proclamation, in one part of the preamble to which it is recited that the title to the said farm is not subject to any reservation of precious stones or minerals; and that last year, after an elaborate opinion had been given by the then Acting Attorney-General of this Province, in which it was maintained that the Crown possessed an inherent and inalienable right to all precious stones and minerals found upon lands held on quit-rent tenure (the tenure on which the farm Vooruitzigt is held by the proprietors), an Ordinance was passed repealing the Proclamation of the Commissioners, in order to clear the way for testing in a Court of Law (if the proprietors should adopt that course), whether or not the farm Vooruitzigt was liable to the Crown reservation. That Ordinance was, as you know, disallowed by Her Majesty for reasons set forth in the Right Honourable the Secretary of State's despatch of the 25th July, 1874, and since that disallowance the proprietors have commenced an action in the High Court to compel the Government to render accounts to them of all the claim licence money collected from October 1871, and for 50 per cent. thereof from April 1874, and for an account of Government expenditure as referred to in section 29 of Proclamation 71 of 1871, to which it must be particularly added that the proprietors of Dorstfontein claim the right of recovering such rate of licence-money as they may think fit to fix.

4. Another Ordinance was passed by the Legislative Council of this Province, founded upon a law of the Orange Free State, which was in force here when Her Majesty's Government took over the country, conferring powers upon the Executive Government to frame rules and regulations respecting stand-rents, &c., which Ordinance has also been disallowed by Her Majesty.

5. The disallowance of these Ordinances has very much embarrassed the Government of this Province, and will ever be a cause of embarrassment to it, unless a remedy can be found in some other way; and if the result of the lawsuit now pending should be unfavourable to the views entertained by the Acting Attorney-General, and a final Judgment, on appeal, should be adverse to the Government, the effect would be not only to burden this Government with demands for the payment of which there would be no funds immediately available, but to render it impossible, in my opinion, to maintain order here without the aid of a strong military force, such as I presume would scarcely be sent after the experience acquired at the Australian gold fields to coerce the people into a compliance with whatever might be demanded by the proprietors.

6. If I am correct in this view the proprietors will, if a final judgment should be given in their favour, be rather damaged than benefited by the disallowance of the Ordinances in question, which were passed in view of the peculiar circumstances of the province, of the people to whom they were applicable, and the necessity which the Government was under of depending upon moral force only for the conduct of public affairs; for it will, I think, in such a case, be found necessary to repeal the laws under which the Government is to issue claim licenses and collect the money payable for them on lands not subject to Crown reservation, so as to leave the owners of such lands to deal directly with diggers and others, who, with or without permission, will enter upon any property where mines of precious stones exist. The diggers and standholders will, I believe, refuse to pay extortionate demands, and, although judgments against them may be obtained in the Law Courts, it will be impossible to carry those judgments into execution against the determined

opposition of the people. This would be an unseemly state of things in a British Colony, and a state of things that I have anxiously sought to avoid by procuring the enactment of fair, and, as I conceive, just laws, calculated to restrain all parties, without injury to any, and if the effect of the disallowance of those measures should be to entail serious consequences, I consider that Her Majesty's Government has relieved this Government from any responsibility in regard to them.

7. Besides the very strong opinion given by the Acting Attorney-General respecting the rights of the Crown to all precious stones found upon lands held under perpetual quit-rent tenure, supported by the opinion of eminent counsel in England, there are other circumstances connected with the proprietors' title which must make them feel uneasy and desirous, I should think, of avoiding a thorough investigation and inquiry, in order to ascertain whether or not the two diamond mines before mentioned are within or without the proper boundaries of their leasehold farm. If such an investigation should result in proving that the mines and the stands are upon Crown lands the proprietors, who have been drawing a very large annual income from licenses, would be placed in a most awkward position, however leniently or liberally the Government might feel disposed to act towards them.

8. If, however, these complications, and the troubles and anxieties that grow out of them, could be satisfactorily disposed of, without resorting to extreme measures either way, such a solution would, in my opinion, be on all accounts most desirable; and, if the information which reaches me from several quarters be at all correct, it seems to me that such a consummation is practicable.

9. I am informed that the proprietors are willing, if not anxious, to sell their rights in the farm Vooruitzigt, whatever those rights may be, and that they have been advised to accept from the Government a moderately reasonable offer, if such an offer should be made. If this be so, I am strongly of opinion that this is a favourable time for the Government to purchase.

10. The annual income of the proprietors for stand and other licences is about 20,000*l.* per annum, and if they could be bought out for a sum equal to four years' purchase of their rents to be paid in debentures bearing 6 per cent. interest, and redeemable within ten years, it would not only solve all the difficulties, but be a good financial transaction for the Government and the public it represents. The standholders would gladly purchase their plots of ground with rights of commonage, which could go with them, for sums exceeding four years' purchase of their rents; and we should soon see substantial buildings erected upon them to replace the merely temporary ones now existing.

11. Other improvements would rapidly follow; a municipality would be formed which would relieve the Government from certain expenses and cares which now devolve upon it. Garden plots and other lands for cultivation could be sold at good prices outside the township, and the accumulation of water in the mines be utilized for irrigating them, and by this means the town would be supplied with agricultural produce by its own people, instead of having to draw it, as now, from great distances. These are mentioned as prominent improvements that would result immediately; many others would follow.

12. This is a favourable time for operating in such matters; for, besides the yield of diamonds from the mines being still very large and apparently inexhaustible, it has recently been discovered that the *débris*, or refuse from soil previously taken out of the mines and sorted, contains immense quantities of small diamonds which can be extracted by an inexpensive process of washing it, and many persons have entered upon that industry.

13. There are at present about 600 washing-machines employed on this work, and competent judges estimate the average yield of a machine to be at the rate of 30*l.* a week, giving a profit to the worker of at least half that amount. The consequence of this discovery has been to give profitable employment to all who desire to work, and to increase the general trade of the place very considerably. I believe that legitimate trade never was more sound or flourishing here than at present, and there is every prospect of a continuance of it.

14. As some of the proprietors or shareholders in the farm Vooruitzigt reside at Cape Town, you are in a position, perhaps, to ascertain whether or not my information is correct, and whether they would sell out for such a sum as I have mentioned. If they would, I should strongly urge upon your Excellency to close with them, subject to the approval of the Secretary of State.

15. If the present proprietors' interest in Vooruitzigt could be bought, it would

be sufficient for all immediate requirements, both of diggers and standholders, and it might remain for further consideration whether efforts should be made to effect a somewhat similar arrangement with the South African Exploration Company.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 32.

(Private and Confidential.)

Sir,

Cape Town, March 11, 1875.

I HAVE received your despatch of the 25th ultimo, marked as above, in which you intimate an opinion that the present is a favourable time for endeavouring to effect a compromise of the questions pending between the proprietors of the quit-rent title to the farm Vooruitzigt and the Government of Griqua-Land West, and suggest that as some of the former reside at Cape Town, I may be in a position to ascertain whether they would be disposed to accept, in lieu of whatever proprietary rights they may possess, a sum equal to four years' purchase of their actual income.

2. The critical position in which the Government would be placed by any attempt on the part of the proprietors to raise the rates which have been levied for licences on diggers and standholders respectively ever since Her Majesty's authority at the Diamond Fields was proclaimed, has, since the disallowance of Ordinances Nos. 5 and 9 of 1874, formed the subject of my anxious consideration. In the case of digging licences, indeed, the danger is not imminent, inasmuch as the rate is collected by Government officers, and an augmented demand would be impracticable until the question of the ownership of the diamonds has been determined in a court of law.

3. The alternative, however, of protracted and expensive litigation is not a very reassuring one, while, as regards stand licences, there seems to be immediate risk of a collision which might prove almost as disastrous.

4. I am quite in favour, therefore, of a compromise with the proprietors, provided only it can be effected on reasonable terms; and extravagant as was the proposal submitted by Messrs. Fairbridge and Arderne on their behalf in their letter of 4th July, 1874, I should have been disposed, even at that time, to have entered into negotiations, had it not been limited to "surface rights" only.

5. That proposal was, that for such rights, eight years' purchase of "the revenue then derived from the estate" should be paid, leaving the amount of compensation for the diamonds to be determined after a legal decision. Your Excellency now considers that if the number of years' purchase of the rental were reduced to four, and all claims to the diamonds at once abandoned, it would be a good financial transaction for the benefit of the public.

6. If, as you suppose, the annual income of the proprietors from stand and other licences be about 20,000*l.*, this would be equivalent to an offer of 80,000*l.*, which you propose to pay in debentures bearing 6 per cent. interest, and redeemable within ten years.

7. You do not explain whether, under the words "other licences," any proportion of those paid for leave to dig for diamonds is included, though this point is of material importance in forming a judgment as to the terms offered; nor is the amount really collected by the proprietors for stand licences specified, a point of less consequence no doubt, as, in the event of a compromise on the basis of so many years' purchase of the rental, full proof would of course be demanded on this score.

8. Assuming, however, that the diggers' licences are excluded, and that the revenue as estimated is mainly secured by a well-paid rent-roll, I must still own that I do not feel satisfied that so large a sum as 80,000*l.* could be safely or remuneratively invested by Government in the acquisition of the property.

9. It is always an anomalous position for the State to have to act as landlord; and it appears to me by no means certain that if, by its standing in that relation to them, the standholders were assured that their rents would not be raised, their faith in the future of the mines would be so strong as to induce them, as your Excellency anticipates, to take over their plots of ground at the price given for them.

10. On the other hand, the Government would have to be prepared, from the first, not only to provide 4,800*l.* per annum punctually for interest, but to set apart

a further portion of the rental sufficient to ensure the redemption of the entire debt at the end of ten years; if, indeed, it would not be more prudent to create a sinking fund calculated to extinguish it at a much earlier date, looking to the uncertainty which must exist as to whether the extraction of diamonds will continue for so long a period, or at any rate be profitably effected at the great depths which ere that will be reached.

11. Whilst, therefore, I concur with your Excellency as to the expediency of sounding the proprietors as to the terms on which they would be willing to make over their interest, I should not feel justified, in the absence of more definite information than I yet possess, in applying for the sanction of the Secretary of State, unless I found them prepared to accept a far smaller amount, say 50,000*l.*, which, as I have understood, was the valuation they themselves put upon the concern a year or two ago, when fresh partners were admitted.

I have, &c.

(Signed)

HENRY BARKLY.

His Excellency Lieutenant-Governor Southey, C.M.G.,

&c.

&c.

&c.

Inclosure 3 in No. 32.

(Private and Confidential.)

Lieutenant-Governor's Office, Kimberley,

Sir,

March 18, 1875.

I AM glad to find by your Excellency's despatch of the 11th instant, that you coincide with me in thinking that the present is a favourable time for endeavouring to effect a compromise between the proprietors of the quit-rent title to the farm Vooruitzigt and the Government of Griqua-Land West, provided that the proprietors are found willing to dispose of their rights, whatever they may be, for a reasonable sum.

2. In my despatch of the 25th ultimo I stated that I should consider a reasonable and fair sum to be an amount equal to four years' purchase of their rentals, and that I understood their annual rents to be about 20,000*l.*, I did not in this estimate include the claim-licences, as, according [to the opinion of Mr. Acting Attorney-General Shippard, the diamonds belong to the Crown, and not to the proprietors.

3. The proprietors' agent, Mr. Barry, promised to furnish me with a statement showing exactly what the income is from rents, &c., exclusive of claim-licences, but he has not yet done so; and this morning he told me that he had deemed it proper to communicate with Mr. Ebdon thereon before furnishing me with the information. He expects to hear from that gentleman in a post or two on the subject.

4. The sum named by me as the probable annual income is the gross amount, out of which many expenses have to be provided for, so that the net receipts available for distribution among the proprietors must necessarily be considerably less.

5. I assume that if the proprietors are willing to sell for a reasonable sum, calculated upon the basis of their income, they will afford full information upon the subject.

6. My wish is that the proprietors should express their willingness to sell to the Government, for an amount such as your Excellency would feel yourself justified in recommending the Secretary of State to allow this Government to agree to pay, and that, pending the receipt of Lord Carnarvon's reply, they should hold themselves bound by the offer.

7. It is impossible, at present, to form any reliable estimate of the depth to which we may go before exhausting the mines of their precious contents; but having a duly qualified engineer here now, I propose, if we find the proprietors willing to dispose of their rights for a fair consideration, to cause shafts to be sunk to test that question, with a view to obtaining information upon which to frame an estimate of the correct value of building lots in the immediate vicinity. If it should be found that diamonds exist to a very great depth, the knowledge of the fact would greatly increase the supposed present value of the building lots.

I have, &c.

(Signed)

R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 4 in No. 32.

Sir,

Cape Town, April 3, 1875.

REFERRING to the several conversations which I have had the honour of holding with your Excellency on the subject of the proposed sale of the estate Vooruitzicht, and to the objections raised by your Excellency to the price asked for that estate, I have the honour to submit, for your Excellency's consideration, several facts bearing upon the question of the price, and also to lay before your Excellency definitely, in writing, the proposal of the proprietors.

1. There may be said to be two considerations which might influence the value of this property as a marketable commodity—

1st. The income derived and derivable from it; and 2ndly, the security under which that income is enjoyed and the proprietary rights exercised.

2. As the estate in question is under the security of the British flag, and is situated in a Dependency of which your Excellency is Governor, it will not be becoming on my part to enter into the last-named question, as to the strength or weakness of the Government. Your Excellency will, no doubt, be prepared to allow the position that any proprietary rights, which in law and equity the proprietors possess, will be guaranteed and confirmed to them by the British Government. I shall, therefore, confine myself to the first-named consideration—the amount of income derived and derivable from the property in question.

3. This income may be classed under three chief heads:—

- a. That derived and derivable from rents.
- b. That derived and derivable from licenses to mine for diamonds.
- c. That derivable from the diamondiferous *débris* abandoned by the former workers.

(a.) Income from rents:—

In January 1874 this amounted to 13,000*l.* per annum, according to the old tariff of rents. In consideration of the large sums made by sub-letting, the proprietors determined on raising the rents, which, according to the new tariff then proposed, would have amounted to over 17,000*l.* An agitation, commenced by the tenants of the proprietors, and approved and confirmed by the action of the local Government, in manifest detriment of proprietary rights, compelled the proprietors to abandon their proposal, and prevented them from making their legitimate income from this source.

In the hands of the Government, who would be unhampered by such restrictions, the income from this source would certainly not be less than that estimated by the proprietors, and could, without doubt, be commuted for a very large capital sum. As bearing on the question of the facility of disposing of rents in question, I might bring to your Excellency's notice the fact that not a week passes without the right to pay rent on certain plots changing hands at a very considerable premium, amounting, in some instances, to ten times the annual rent. This fact alone should be sufficient answer to those who accuse the present proprietors of grinding down their lessees by exorbitant rents. I have not, in considering the question of rents, entered on the matter in dispute as to rent chargeable on the ground occupied by the dwellings of diggers, which might, however, fairly be taken into consideration in forming an estimate of possible income.

(b.) Income derived from licences to mine for diamonds.—

Without entering on the question as to the power of raising the existing licence, upon which, as your Excellency is aware, the proprietors have legal opinions in their favour of the highest weight, it will be sufficient to state that, under the old system, the income from this source amounted to 5,000*l.* per annum. Were the proprietors in a position to deal with these licences as property, it would be easy to commute them for a very large capital sum by rendering the claims freehold property, and I shall not over-estimate the value of such capital sum if I put it down at little short of that for which the proprietors are prepared to sell the estate.

(c.) Income from the diamondiferous *débris*:—

From this source, owing to the unhappy differences between the proprietors, the diggers, and the Government, the proprietors have not hitherto derived a very large income.

Notwithstanding the fact that, by a decision of the High Court in the case of *Ebden v. Hartley*, this *débris* was declared to be the sole property of the proprietors, the Government has not restrained the diggers from violating the rights of private property, and diamonds have been extracted to the value, as estimated by the local

prints, of 50,000*l.* per mensem. The income derivable under competent supervision from this source may be taken at 11,000*l.* per annum, to be obtained as follows :—

400 washing machines, 20 <i>s.</i> per mensem, say	..	..	..	£	5,000 per annum.
2,000 sorters, 5 <i>s.</i> per mensem .. ..	..	..	..	6,000	„
				£11,000	„

In addition to this there is the mass of *débris* inside the mining area, which, at the lowest computation, is worth 80,000*l.*, and which would be available for Government purposes.

4. The income at present derived from the estate, with all drawbacks, may be estimated at 17,000*l.* per annum, and I trust that I have, in the foregoing remarks, however imperfectly, pointed out to your Excellency that, in the hands of the Government, not hampered by legislation, nor subjected to the restrictions I have alluded to in dealing with the estate, this income would be very considerably increased, and I venture to think that my remarks on that score will be fully borne out by any person having the requisite local knowledge whom your Excellency may consult.

5. If this were a statement of the grievances of the proprietors of Vooruitzigt, I should go more fully into the several matters in dispute between them—the Government and the population of Griqua-Land West. As it is, I may be permitted to draw your Excellency's attention to three points, among many others, on which in the matter of income the Government would have manifestly the advantage over the present owners, and on which the proprietors now feel themselves harshly if not unjustly treated :—

(1.) The Government withholds the issue of title, and the proprietors are unable on this account to sell any portion of their property, and have, in consequence, been deprived of enormous sums which might have been realized by the sale of building sites.

(2.) The Government have assumed the entire control of the licences to mine for diamonds, and have prevented the proprietors from dealing with them.

(3.) The proprietors are not protected in the possession of the *débris*. They are prevented from touching that within the so-called mining area, while by advertisements in the public prints diggers and others are invited to join in robbing the proprietors of the *débris* scattered over the surface of the farm.

6. In each of these matters the Government would be able to take immediate action, which, from a pecuniary point of view, would be of the utmost value, while the proprietors are obliged to establish their rights by tedious and expensive litigation, during which process a mass of false rights accrue, which are considered by the population, and too often treated by the Government as prescriptive, and which it is extremely difficult and well nigh impossible to upset.

7. In conclusion, I have to state, for your Excellency's information, that the proprietors of Vooruitzigt are prepared to sell the estate to your Excellency's Government for the sum of 100,000*l.* sterling, to be paid in debentures bearing interest at the rate of 6 per cent. per annum, under the guarantee of the British Government.

8. As your Excellency has already verbally declined this offer, I merely recapitulate it for your Excellency's information, and beg to inform your Excellency that, pending the re-opening of negotiations for sale to your Excellency's Government, the proprietors hold themselves at liberty to dispose of the estate to any other parties who may be prepared to offer the price required.

I have, &c.

(Signed)

JOHN MERRIMAN.

His Excellency the Governor of Griqua-Land West.

Inclosure 5 in No. 32.

Sir,

Cape Town, April 19, 1875.

I DID not at once reply to your letter of the 3rd instant, as to the sale of Vooruitzigt, because it was rumoured that other negotiations were being carried on by the proprietors with this object, in regard to which I had no desire to interfere.

Having, however, heard nothing further on this point, and looking at the very critical position of affairs which existed at Kimberley at the date of the latest accounts, I think it my duty to intimate more formally than I have yet done that I

am still prepared, on behalf of the Government of Griqua-Land West, to offer for the farm and all rights claimed in connection with it, the sum of 80,000*l.* sterling, payable in debentures bearing interest at the rate of 6 per cent. per annum.

This arrangement to be considered, subject to the approval of the Right Honourable the Secretary of State for the Colonies, pending the receipt of whose decision thereon—to be notified within three months from date—all questions between the proprietors, on the one hand, and the Government, the claimholders, standholders, or other occupants of land, on the other, to remain in abeyance.

I have, &c.

(Signed) **HENRY BARKLY,**
Governor of Griqua-Land West.

John X. Merriman, Esq., M.L.A.,
&c. &c. &c.

Inclosure 6 in No. 32.

Sir,

Cape Town, April 22, 1875.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 19th instant, and to inform your Excellency that I have communicated the same by telegraph to Mr. Ebdon, whose reply I shall have the honour of submitting to your Excellency.

I have, &c.

(Signed) **JOHN MERRIMAN.**

His Excellency the Governor of Griqua-Land West.

Inclosure 7 in No. 32.

Sir,

Cape Town, April 27, 1875.

REFERRING to your Excellency's letter of the 19th instant, making a definite offer of 80,000*l.* for the estate Vooruitzigt, payable at 6 per cent. debentures, and to my reply of the 22nd instant, I have the honour to inform your Excellency that I am instructed to decline that offer, and to inform your Excellency that the proprietors adhere to the price mentioned by me in conversation with your Excellency and in my letter of the 3rd instant, viz., 100,000*l.* sterling. This price is considered by the proprietors of the estate, for the reasons detailed in my letter of the 3rd instant, not only a moderate one, but actually far below the fair market value of the property in question.

I am further instructed to inform your Excellency that although desirous of selling to your Excellency's Government, and thus strengthening their hands, the proprietors reserve to themselves full liberty to dispose of the property to other parties or companies pending the reopening of negotiations with your Excellency.

I have, &c.

(Signed) **JOHN MERRIMAN.**

His Excellency Sir Henry Barkly, K.C.B.,
&c. &c. &c.

Inclosure 8 in No. 32.

Sir,

Cape Town, May 15, 1875.

REFERRING to my note of this date, I have the honour to inform your Excellency that I am authorized on behalf of the proprietors of Vooruitzigt to accept your Excellency's offer for the purchase of their proprietary rights in that estate for the sum of 100,000*l.* sterling, payable in debentures, bearing interest at the rate of 6 per cent. per annum under the guarantee of the Imperial Government, time of redemption to be settled by agreement. The said purchase to include all rights and claims, and to constitute an estoppel of all actions now pending.

It will be necessary for your Excellency, in notifying your agreement to these terms, to specify the date at which your Excellency will be prepared to take over the proprietorship of the estate, from which date all interest of the present proprietors will naturally determine. No doubt your Excellency will be prepared to allow a reasonable time for the proprietors to settle with their present staff and other outstandings.

I have, &c.

(Signed) **JOHN MERRIMAN.**

His Excellency Sir H. Barkly, K.C.B.,
Governor of Griqua-Land West.

Inclosure 9 in No. 32.

Sir,

Government House, Cape Town, May 21, 1875.

I HAVE to acknowledge the receipt of your letter of the 15th instant, in which you inform me that you are authorized on behalf of the proprietors of Vooruitzigt to accept my offer for the purchase of the proprietary rights in that estate for 100,000*l.*, payable in debentures bearing interest at the rate of 6 per cent per annum.

2. You add, "under the guarantee of the Imperial Government;" but I need hardly point out the difficulty, if not the impossibility, of obtaining such a guarantee, inasmuch as it would require an Act of the Imperial Parliament, which it would be hopeless to expect.

3. In agreeing to the above amount, I have therefore assumed that the terms to which you refer are to be understood in the following manner:—That the sale and purchase shall be subject to the approval of the Right Honourable the Secretary of State for the Colonies, and that under such approval the debentures shall be granted, and the payment thereof secured by the Government of Griqua-Land West by an Ordinance, the time of payment to be fixed hereafter.

4. That the respective proprietors shall execute in due form in favour of the Government a deed of transfer, conveyance, or assignment of all their right, title, and interest in and to the said estate, together with all diamonds or other minerals and property in or upon the same, including all rights, claims, and demands, or rights of action which they may have or be entitled to in respect of stand or license-money, or rents or rates which shall be due by standholders or others at the time of the receipt of the decision of the Secretary of State for the Colonies regarding his approval of the sale and purchase; and, pending such approval, all questions between the proprietors, on the one hand, and the Government, the claimholders, standholders, or other occupants of land, on the other, to remain in abeyance, as mentioned in my letter of the 19th ultimo.

5. The sale and purchase shall also constitute an estoppel of all actions in which the proprietors are interested, relative to the estate, now pending, or in which judgment may have been pronounced but not carried into execution, or other final determination.

6. The date of taking over the estate would be _____ days after the receipt of information that the sale and purchase had been approved.

7. A reasonable time would be allowed for the proprietors to settle with their staff.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqua-Land West.

John X. Merriman, Esq., M.L.A.,

&c.

&c.

&c.

Inclosure 10 in No. 32.

Sir,

Cape Town, May 22, 1875.

I HAVE the honour to acknowledge receipt of your Excellency's letter of the 21st instant, in reply to mine of the 15th instant.

1. While admitting the force of the arguments used by your Excellency in paragraph 2, in reference to the Imperial guarantee, I regret that I am unable, on behalf of the proprietors of Vooruitzigt to agree to the conditions mentioned in paragraph 3, viz., "that the sale and purchase shall be subject to the approval of the Secretary of State for the Colonies," and "that, pending such approval, all matters are to remain in abeyance."

2. I would submit to your Excellency's notice that, on receipt of your Excellency's verbal acceptance of my offer, which offer was fully detailed in mine of the 3rd April, negotiations then pending, and almost concluded, with other parties for the purchase of the estate were broken off, and that, as your Excellency is doubtless aware, considerable dissatisfaction has been excited in certain quarters at the sale, over the heads of others, to your Excellency's Government.

3. I would also point out that, pending the approval as suggested by your Excellency, the *débris* robberies, and all other grievances of which the proprietors have so much cause to complain, would flourish unchecked. That the action against the Government for the large sum now due for diamond licenses received by them

would be indefinitely "hung up," and that, generally speaking, while debarred from a profitable sale of their property, the proprietors would have to suffer from a deterioration of that property from the above-mentioned causes.

4. I feel that your Excellency will agree with me that such an arrangement could not be considered as other than a most one-sided one, in which the balance would be wholly on the side of the Government.

5. The proprietors have been led to agree to a sale to a Government, the financial position of which is notoriously the reverse of flourishing, solely on the conviction that the estate in the hands of the Government would, as pointed out in mine of the 3rd ultimo, prove a most profitable investment, and would be a sufficient security for the payment of a sum infinitely greater than the purchase amount.

6. I would submit, therefore, that on their part they have a right to expect that your Excellency should follow the usual course in such transactions, and that the purchase on the part of your Excellency should be as definite as the sale of the property on the part of the proprietors.

I would also submit that such a course would tend infinitely more to the profit of the Government and to the satisfaction of all parties than the indefinite arrangement proposed by your Excellency.

I have, &c.

(Signed)

JOHN H. MERRIMAN.

His Excellency Sir Henry Barkly, K.C.B.,
&c. &c &c.

Inclosure 11 in No. 32.

Telegraphic Despatch vid Middelburg, May 8, 1875, from the Lieutenant-Governor of Griqua-Land West to his Excellency the Governor, Cape Town.

A NUMBER of the most wealthy and influential persons here have waited on me to urge you to close with Ebdon and purchase farm for 100,000*l.* They say that it is a safe financial operation, and they will take over the purchase if Secretary of State will not sanction it by Government. Payment to extend over eight years, debentures at 6 per cent. Other purchasers are in the market for same sum, and they urge you to close at once; on public grounds I strongly recommend this.

Inclosure 12 in No. 32.

Telegraphic Despatch vid Colesberg, May 10, 1875, from the Lieutenant-Governor of Griqua-Land West to his Excellency the Governor, Cape Town.

REFERRING to telegram via Middleburg, I have now to say guarantee list is filled up, and many still anxious to subscribe. Purchase should include farm, with rights and claims. Speculators are in the market at same price. You are recommended to close.

Inclosure 13 in No. 32.

Sir,

Lieutenant-Governor's Office, Kimberley, May 13, 1875.

ADVERTING to my telegraphic despatches of the 9th and 10th instant, of which I inclose a copy, I have now the honour to forward a document bearing the signatures of many of the wealthiest and most respectable inhabitants of Kimberley, in which the subscribers urge your Excellency to purchase the farm Vooruitzicht from Mr. Alfred Ebdon for the sum of 100,000*l.* sterling, to be paid for in debentures bearing interest at the rate of 6 per cent. per annum payable in 1883, and in which they further guarantee that, in the event of the Right Honourable the Secretary of State not sanctioning the purchase on behalf of this Government, they will take it over in shares and relieve the Government as fully and completely as if they had purchased it directly from the present owners.

2. My private communications and my private and confidential despatches of

the 25th February and 18th of March, have so fully given my reasons for desiring to purchase this property and shown the good results I hoped would be achieved by its becoming public property, that it is only necessary for me to explain now the reasons which have induced me to recommend your Excellency to effect the purchase at the price of 100,000*l.* demanded by Mr. Ebdon, whereas I had previously named 80,000*l.* as the highest price which should, in my opinion, be given.

3. Your Excellency will bear in mind that from the first I have advocated the purchase solely on public grounds, and that it was originally suggested by me as a possible means of escape from troubles and difficulties which I foresaw would probably follow on the disallowance of our legislation of last year. As my inquiries proceeded, I became satisfied that what I had only regarded at first as a political measure worth carrying, even at considerable sacrifice, might be reasonably expected to prove a very successful financial operation, for I had little cause for doubting that if the Government could buy the property at four years' purchase, which I estimated at 80,000*l.*, it could be sold by degrees, in suitable lots, for 100,000*l.*

4. As a proof that my calculation was not extravagant, I may mention that there are now here two rival sets of persons willing and anxious to buy the property for the latter sum, and that a third set could easily be formed here who would be prepared to give the same amount.

5. When I first made the proposal none of these purchasers were in the market, and I thought it was only reasonable that, the claims of the Crown being what they are, the present owners would consent to something of a compromise; but now that the value of the property has been undoubtedly much enhanced by the discovery of the profitable industry of washing, not only the newly raised soil, but even the immense accumulation of *débris* already raised and abandoned, there are so many persons who would run all risks regarding title, and give the price demanded by Mr. Ebdon, that a compromise is, I fear, out of the question, and I must revert to my original proposal of purchasing it as a political measure of necessity.

6. That the more respectable of the misguided men who have recently taken up arms against Her Majesty's Government here, and possibly a majority of the diggers generally, are opposed to British rule because they know it involves obedience to the law, and because they regard the law as an engine by which they may be forced to submit to any exactions of the owners of the soil, if the Government can compel obedience to its judgments, is, I think, beyond dispute; and it will readily occur to your Excellency that this feeling will not be lessened when the presence of such a force as can compel such obedience will certainly increase the fears of the diggers, if not of the standholders, even if it does not encourage a natural desire for increased revenues on the part of the proprietors. It has therefore occurred to many of the most influential and respectable men in our community engaged in mining and trading, as well as to myself, that one of our difficulties would be removed, and a settled state of things inaugurated in this township, at least, by the Government acquiring possession of the property and selling building lots, so that men can become owners of their holdings and pursue their avocations in peace.

7. I am so fully convinced of the soundness of this view, that abandoning, as we must, all idea of purchasing the property at anything below its market value, I desire to impress upon your Excellency, not merely the expediency, but, I may almost say, the necessity of obtaining it as soon as possible, and thus preventing its falling into the hands of speculators whose acts might so increase the difficulties of this Government as either to render the position of the Administration untenable, or necessitate the expulsion of the population by armed force.

8. Your Excellency will observe that a guarantee for the full sum of 100,000*l.* is given in the event of the Right Honourable the Secretary of State declining to sanction the purchase by this Government, and I must here state that, having shown the list of guarantors to one of the leading bank managers here, who is himself a guarantor in his private and individual capacity, he assures me, not only that the subscribers are able to pay the amounts set opposite to their respective names, but that he could, in a few hours, procure another set of guarantors to the same amount. I feel bound to mention this, for I feel confident that such an exhibition of patriotic desire on the part of so many of our community, and such a proof of their confidence in the present stability and future prosperity of the Province, cannot fail to have weight with the Right Honourable the Secretary of State.

9. In conclusion, I desire to bring to your Excellency's notice the fact that the original proposal, on which that now submitted is based, was of another and more disinterested character than the present one. It was that your Excellency should purchase the property for the public, and that, if the purchase were not sanctioned, the estates should be sold in lots and any loss made good by the guarantors.

10. This purely patriotic proposal, by which he designedly incurred the risk of loss without the possibility of gain, was the suggestion of Mr. George Paton, J.P., who headed the list with 10,000*l.*, but it was found difficult to obtain the support of men of business for a scheme which held out no possible chance of gain, and the result has been the proposal which I now submit for your Excellency's most favourable consideration.

11. It will be seen that the guarantors have by a separate document, which I also inclose, voluntarily and unanimously agreed to forego, if necessary, the last part of their proposal, which stipulated for a refund of the purchase money in the event of the farm being, by judgment of the Law Courts, assigned to any other claimants.

I have, &c.

(Signed)

R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 14 in No. 32.

Terms and Conditions upon which Alfred Ebdon, Registered Proprietor of the Estate Voornitzigt, in the District of Kimberley, Griqua-Land West, has agreed to sell, and the Government of Griqua-Land West, through his Excellency Sir Henry Barkly, G.C.M.G., K.C.B., Governor of Griqua-Land West, has purchased said Estate.

1. THE purchase price of said estate is the sum of 100,000*l.* sterling, payable as hereinafter provided (subject to the stipulation after-mentioned).

2. Alfred Ebdon cedes, assigns, and makes over absolutely to the said Government, all his right, title, claim, and interest in the said farm, together with all diamonds, minerals, and property of every description in or upon the same, and all rights of action arising therefrom or incidental thereto, and undertakes to execute any necessary further act or deed of transfer or conveyance to complete title thereof under the original grant and title deed thereof, in favour of Diederick Arnoldus de Beer and Johannes Niolaas de Beer, dated the 27th day of December, 1863, and the subsequent deed of transfer in his favour, dated the 19th day of October, 1871, Alfred Ebdon hereby undertakes to hold harmless and indemnified the Government of Griqua-Land West against all claims and demands, action or actions, suit or suits, or other proceedings which shall or may be preferred or commenced by Isaac Sonnenberg and Michael E. Hurley, or either of them, in or about or relating to the said farm, or to any part or portion thereof, and against all losses, costs, damages, and expenses which may be thereby incurred or sustained.

3. Alfred Ebdon reserves to himself all stand licenses due and payable up to the 1st day of July, 1875, as shown by the rent-roll exhibited by or on behalf of Mr. Ebdon to his Excellency the Lieutenant-Governor of Griqua-Land West, provided, however, that he shall not be entitled to any new claim or claims other than those shown by the aforesaid roll, or to any fresh claims. Mr. Ebdon hereby relinquishes absolutely and for ever, all claims and demands whatsoever, and of what nature or kind soever, which he, as the registered owner of the said farm, now has, or ever had, against the said Government, subject, however, to the sanction of this agreement or payment of the balance of the purchase money, as provided by Article 9.

From and after the date of these presents, no new stand or other licenses, or any engagement relative to the said farm, or the diamonds or minerals therein or thereon, shall be entered into by the said Alfred Ebdon.

4. His Excellency Sir Henry Barkly undertakes that this sale and purchase of Voornitzigt, and payment thereof, shall, without delay, be ratified, confirmed, and provided for by a local Ordinance, to be passed by the Legislative Council of Griqua-Land West, and sanctioned by his Excellency.

5. The purchase price shall be paid by debentures of the Government of Griqua-Land West, bearing interest from the 1st day of July, 1875, at the rate of

6 per cent. per annum, payable half-yearly at the Treasury in Griqua-Land West, or in Cape Town, or London, which debentures shall be redeemed in equal proportionate amounts yearly within the next eight years, unless redeemed earlier, as hereinafter stipulated.

6. The proceeds of all sales of plots of ground or erven in the town of Kimberley, and of any other portion of Vooruitzigt sold by the Government, shall be reserved for, and appropriated towards the redemption of the debentures, according to their numerical order, beginning with No. 1, and continuing in regular succession so far as the moneys received will go.

7. Government to enter into possession of Vooruitzigt on the 1st day of July, 1875, or earlier, if practicable. Mr. Ebden hereby assenting thereto.

8. This deed of sale and purchase is, however, to be subject to the final approval of the Right Honourable the Secretary of State for the Colonies, such approval to be formally communicated to Mr. Ebden, or his representative in this Colony, by or before the 30th of September, 1875.

9. In case such approval shall not be so given and communicated, or unless the Government of Griqua-Land West shall, on the refusal of the Right Honourable the Secretary of State for the Colonies to sanction the said sale and purchase, pay or cause to be paid, within three calendar months after the receipt of information that such sale and purchase has not been sanctioned, to the said Alfred Ebden, or his representative in this Colony, the balance of the purchase price of the said farm, Vooruitzigt, as agreed on, with interest at the rate of 6 per cent. per annum to date of payment, this agreement shall be considered as lapsed and terminated, and the Government will, thereupon, account to Mr. Ebden for the proceeds of all sales aforesaid, and of rents, revenues, and licenses received by them in the interim undertaking to keep an account and reckoning thereof, under deduction, however, of all necessary disbursements and expenses in or about the collection thereof.

10. The legal proceedings now pending before the High Court of Griqua-Land West between the Government and Mr. Ebden, and all other legal proceedings and litigations on both sides in reference to the said farm, or to any of the matters, and things aforesaid, shall be left in abeyance until this agreement shall be finally approved of as aforesaid, and then, in such case, shall be mutually withdrawn and abandoned.

The said sale and purchase when so approved shall also be an absolute estoppel of all or any action or actions, suit or suits, or other proceedings now pending between Alfred Ebden and any other person or persons or party or parties whomsoever in reference to the said farm, or to any diamonds, minerals, property, in or upon the same, and to any action or proceeding in which judgment may have been pronounced but not carried into execution, and to all litigation on the part of Mr. Ebden to the said farm, and all actions, suits, or judgments shall be left in abeyance until the said sale and purchase shall be so approved.

In witness whereof Sir Henry Barkly, K.C.B., G.C.M.G., Governor of Griqua-Land West, and Alfred Ebden by his Agent, John Xavier Merriman, have hereunto set their hands and seals at Cape Town in the Colony of the Cape of Good Hope this 31st day of March, 1875, in presence of the subscribed witnesses.

(Signed) HENRY BARKLY. (L.S.)
ALFRED EBDEN, by his Agent,
John X. Merriman. (L.S.)

Witnesses:

(Signed) HAMPDEN WILLIS.
HENRY REID.

Enclosure 15 in No. 32.

WHEREAS negotiations have been opened between the Government of the Province of Griqua-Land West and the proprietors of the farm commonly called Vooruitzigt (situate in the division of Kimberley, Griqua-Land West), whereon the township of Kimberley and the diamond mines of Kimberley and old De Beers are situated, for the purchase thereof by the said Government.

And whereas it is commonly reported that the said negotiations have been broken off in consequence of the said Government not feeling justified in agreeing to pay the sum of 100,000*l.* sterling, being the amount demanded by the said proprietors as the price of the said farm.

And whereas the present state of affairs in which many persons, diggers, traders, and others, are fearful of exactions being made on them by the said proprietors, is one which, as agitating the community and giving rise to feelings which, if allowed to grow and increase in intensity, will, it is to be feared, hurry men into the commission of unlawful acts and demoralize society.

And whereas we deem it incumbent upon us as good and loyal citizens to do everything in our power to avert the evils which appear to threaten all the inhabitants of Kimberley.

Now, therefore, we, whose names are hereunto subscribed, do respectfully request his Excellency the Governor of Griqua-Land West to accept without delay the proposal of the proprietors of the said farm, Vooruitzigt, and to purchase the same for the aforesaid sum of 100,000*l.* sterling, promising and agreeing, as we hereby do, that in case the Right Honourable the Secretary of State for the Colonies should refuse to sanction the said purchase on behalf of the Government of this Province, we will jointly and severally, and according to the shares or proportions, and for the amounts herein set opposite to our respective names, take over the said purchase for the said sum of 100,000*l.* and relieve the Government thereof as fully and effectually as if we had ourselves, according to the said shares and proportions, purchased directly the said farm: Provided always, that if the Government of the said Province purchase the said farm and enter on the possession thereof before the decision of the said Secretary of State in the matter shall be received, the said Government shall keep true and correct accounts of all receipts and disbursements in respect of the said property, and in the event of the said purchase being disallowed by the Secretary of State, the said Government shall hand over to trustees to be chosen by us the Undersigned, all balances of moneys in their hands in respect of the said property at the date of the cession of the said purchase by the Government to us the Undersigned: and provided also that the present proprietors agree to accept payment of the said sum of 100,000*l.* in eight equal instalments of 12,500*l.* each, whereof the first instalment shall be paid in cash and the remainder in yearly instalments of 12,500*l.* each, with interest thereon at 6 per centum per annum on the unpaid balance until the whole of the capital sum is paid, the principal and interest to be secured by a mortgage bond on the said property; and provided further that, in the event of its being decided by any competent Court of Law that the farm so sold, as aforesaid, by the present proprietors to us the Undersigned was not the property of the sellers, then and in that case the purchase shall be null and void, and all payments made in respect thereof by us shall be refunded by the sellers.

In witness whereof we have hereunto set our hands at Kimberley, Province of Griqua-Land West, this 12th day of May, 1875.

	£
(Signed) GREEN AND PATON,	15,000.
JAS. FERGUSON,	10,000.
THEOP. CROWDER,	5,000.
PADDON BROS.,	15,000.
LEWIS AND MARKS,	5,000.
F. M. FELTHAM,	5,000.
CHARLES CAIRNCROSS,	1,000.
CHARLES NORTH,	5,000.
CHAS. SONNENBERG,	10,000.
A. GOLDSCHMIDT,	7,000.
G. D. BOWER,	2,000.
JOSEPH SUBLURER,	2,000.
JOEL MYERS,	5,000.
ALFRED GEORGE BIDEN,	2,500.
ROBERT CUMMING, M.D.,	1,000.
JAS. HALL,	2,500.
D. HARRIS,	1,500.
ISRAEL LEVY,	1,500.
F. W. SAMUELS,	3,000.
F. J. BALL?	
F. M. FELTHAM,	1,000.

Inclosure 16 in No. 32.

WHEREAS in a certain Deed, bearing date at Kimberley, in the Province of Griqua-Land West, the 12th day of May, 1875, it is promised and agreed *inter alia* as follows, to wit:

“That in the event of its being hereafter decided by any competent Court of Law that the farm so sold as aforesaid by the present proprietors to us, the undersigned, was not the property of the sellers, then and in that case the said purchase shall be null and void, and all payments made in respect thereof by us the undersigned shall be refunded by the sellers.”

And whereas such agreement may prevent the Governor of Griqua-Land West from concluding the purchase of the said farm Vooruitzigt, as set forth in the said deed:

Now therefore we, whose names are hereunto subscribed, being the parties to the said deed, do hereby further agree that, if the clause above recited should in any way prevent the said Governor of Griqua-Land West from concluding and finally settling and ratifying the said purchase of the said farm Vooruitzigt, as set forth in the said deed, the said Governor shall be at liberty, and is hereby authorized and empowered by us, and each of us, to cancel, annul, and make void the said clause, anything to the contrary in the said deed recited notwithstanding.

In witness whereof we have hereunto set our hands, at Kimberley, Griqua-Land West, the 12th day of May, 1875.

(Signed)

GREEN AND PATON.
JAS. FERGUSON.
THEOP. CROWDER.
PADDON BROS.
LEWIS AND MARKS.
F. M. FELTHAM.
CHARLES CAIRNCROSS.
CHARLES NORTH.
CHARLES SONNENBERG.
A. GOLDSCHMIDT.
G. A. BOWER.
JOSEPH SUBLURER.
JOEL MYERS.
ALFRED GEORGE BIDEN.
ROBERT CUMMING, M.D.
JAS. HALL.
D. HARRIS.
ISRAEL LEVY.
F. W. SAMUELS.
F. J. BALL?
F. M. FELTHAM.

No. 33.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord,

Government House, Cape Town, June 3, 1875

I HAVE the honour to inclose, for your Lordship's information, copy of a despatch which I have received from the Lieutenant-Governor of Griqua-Land West, containing observations upon the petition to Her Majesty praying for the appointment of a Royal Commission of Inquiry into the affairs of that Province, forwarded to your Lordship with my despatch of the 14th ultimo,* and of the reply, which I returned to Mr. Southey.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure I in No. 33.

Sir,

Lieutenant-Governor's Office, Kimberley, May 20, 1875.

ABOUT three weeks ago I received from Mr. L. P. Ford, an attorney at this place, a printed paper purporting to be a copy of a Petition to Her Majesty the Queen, with copies of the signatures of about 1,000 persons, supposed to be residents of Kimberley, the original of which Mr. Ford stated had been transmitted to your Excellency direct.

2. I took no notice of this at the time, because I presumed that your Excellency would—as the rules and regulations of the service applicable to such cases provide—either have returned the petition to Mr. Ford, with a request that it might be forwarded through me, or have referred it to me for my observations. As, however, I now find that you propose to forward it to the Right Honourable the Secretary of State, without causing it to be submitted for my observations, I will proceed to offer such remarks respecting the alleged copy in my possession as appear to me to be necessary.

3. I may first say that if I had been afforded an opportunity of seeing the original document, I should have been in a better position to form a correct judgment upon its genuineness than I am now, as it is by no means an uncommon practice for one individual to write the names of a large number of others to such papers.

4. A considerable number of the names appear to be the same as were attached to a previous petition to Her Majesty of a somewhat similar character. Many are of persons believed to belong to the “Diggers’ Protection Association,” who were recently in open revolt against Her Majesty’s Government, but are now said to be disbanded, and many more I take to be the names of persons who are not, as is represented in the petition, Her Majesty’s faithful subjects, but foreigners, who are here merely for a time in search of wealth.

5. My copy of the petition sets forth:—

1st. That for some time past there has been a growing dissatisfaction among the people of this Province.

2nd. That the Petitioners believe it to have arisen principally from over-taxation for the support of a Government far too expensive for the requirements of the Province; the land question; the management of native labourers, and the inadequacy, and in some respects the oppressiveness, of the laws relating to the working of the mines; and the administration of justice.

6. When such subjects are treated in such general terms it is scarcely possible to report upon them satisfactorily. I must, however, first observe that the petition emanates from a mere faction at this place, and is not a petition from the “people of the Province.” That the faction referred to does not represent the wealth or intelligence of the European inhabitants, much less does it represent the coloured inhabitants, of whom there are many thousands, whose interests and rights it is the duty of the Government to care for and preserve. There would be no difficulty in obtaining the names of treble the number of these people to a counter petition if any one thought it worth while to do so; but I should discourage any such movement, as it is undesirable to let them suppose that the local Government stands in need of such aid.

7. Your Excellency is aware that in the estimates for the current year I have provided for a considerable reduction of expenditure; that an Ordinance has been passed to provide for the adjustment of land claims, and that the Legislative Council, which is now in session, is quite competent to deal with the other matters treated of in the petition, on being satisfied that amendments in the laws relative to them are needed.

I have, &c.

(Signed)

R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 33.

Sir,

Government House, Cape Town, May 28, 1875.

WITH reference to your Excellency’s despatch of the 20th instant, I have the honour to state that, as the petition therein referred to was signed by a large

number of persons, many of them unquestionably intelligent and respectable, I did not consider myself warranted, in the critical state of affairs at Kimberley, in delaying its transmission to the Queen, for the mere purpose of affording you the opportunity of scrutinizing and commenting upon the signatures appended.

2. After waiting, therefore, such time as appeared to me sufficient to have enabled your Excellency to forward any remarks you might desire to make upon the certified duplicate of the petition and signatures which had been furnished to you, I transmitted the original to the Right Honourable the Earl of Carnarvon, under cover of a despatch, of which I annex copy.

3. As therein promised, your Excellency's Report, now under acknowledgment, will be sent to the Colonial Office by next mail for the further information of his Lordship.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

No. 34.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord,

Government House, Cape Town, June 4, 1875.

IN my despatch of the 5th ultimo,* when announcing that I had found myself finally under the disagreeable necessity of ordering up troops to maintain order and protect life and property at the Diamond Fields, I informed your Lordship that as the Lieutenant-General commanding in South Africa had volunteered to superintend the expedition in person, I purposed giving such instructions to the Lieutenant-Governor of Griqua-Land West as would leave Sir Arthur Cunynghame the fullest discretionary power with regard to the objects for which the force sent up was to be employed.

2. I have now the honour to submit copies of two despatches which I have written to Mr. Southey on this subject, the tenor of which will, I trust, meet your Lordship's approval.

3. It will be seen that, in consequence of past discussions, I deemed it imperative to forbid, under any circumstances, the trial of civil prisoners by Courts-martial. I would, indeed, have gone further, and prohibited the proclamation of martial law altogether, had not the General been of opinion that, under certain circumstances, it might possibly be needed to justify the impressment of horses and waggons, the seizure of provisions and supplies, or even temporary restrictions on the personal liberty of disaffected persons.

4. Although, therefore, I do not anticipate that any of these contingencies will arise, or that resistance of any kind will be offered, I have left the proclamation of martial law for a limited period, with the advice of the Executive Council, an open question.

5. I have suggested banishment from the territory, by legislative Ordinance, as the most appropriate punishment for such of the leaders as it may be deemed expedient to exclude from a general amnesty, more particularly as several of them happen to be aliens.

6. I avail myself of the present opportunity further to forward, for the information of Her Majesty's Government, copy of the explanatory letter which I addressed to the Lieutenant-General commanding, when putting him in possession of the orders and directions I had given to Mr. Southey.

7. It appeared to me likewise desirable that Sir Arthur Cunynghame should be furnished with a dormant commission empowering him to act as Lieutenant-Governor of the Province of Griqua-Land West, in the event of a vacancy arising from any cause in its Government, and I accordingly issued such a commission in his favour, under the authority conferred on me by Her Majesty's Letters Patent of the 7th February, 1873.

8. I hope your Lordship will approve of this step also.

9. I have only to add that the first detachment of Her Majesty's 1-24th Regi-

ment is presumed to have reached Hope Town early this week, where it will, according to orders, be halted, until the arrival of the second detachment, as well as of the Lieutenant-General himself, who expected to reach that place on the 8th instant.

10. Should the news received by him there from the Lieutenant-Governor be favourable, Sir Arthur Cunynghame, leaving the troops encamped at Hope Town under the command of Lieutenant-Colonel Glynn, will, in all probability, continue his journey thence alone, with a view to confer with Mr. Southey on the position of affairs.

11. The latest accounts from Kimberley, I am happy to state, represent everything as quiet, the members of the Diggers' Protection Association having *bond fide* discontinued drills and parades, though they have not given up their arms or ammunition, so that the Government does not yet feel itself strong enough to admit of the enforcement of legal process in any case in which diggers are concerned.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 34.

Sir,

Government House, Cape Town, May 26, 1875.

AS the troops dispatched hence, in compliance with your Excellency's urgent requisitions, concurred in unanimously by the members of the Executive and Legislative Councils of Griqua-Land West, to maintain the Queen's authority, and protect the lives and properties of Her Majesty's subjects, will in all probability be approaching Hope Town about the time that this letter arrives at Kimberley, it seems to me necessary to define beforehand, as clearly as practicable, the manner in which such troops are to be employed, and the relations which will exist between Lieutenant-General Sir Arthur Cunynghame, who accompanies them, and the civil power.

2. In the exercise, therefore, of the authority vested in me as Governor of the said Province, by the 5th Clause of Her Majesty's Letters-Patent of the 7th of February, 1873, and in conformity with the Royal Instructions issued thereunder, I have the honour to convey to your Excellency the following orders and directions:—

1st. You are not to proclaim or declare Martial Law to be in force within the said Province, or any portion thereof, except with the advice and consent of the Executive Council, and not even then, unless in case of there being good reason to apprehend imminent danger to life or property, or hostile attack upon, or actual resistance to, Her Majesty's troops.

2ndly. In the event of Martial Law being proclaimed, with the authority and under the circumstances aforesaid, it shall be in force, and continue for no longer period or periods than the Executive Council shall, in the first instance, fix, or from time to time specify and determine.

3rdly. In the event of Martial Law being proclaimed, you are not to direct or allow any person or persons, not already subject to the Articles of War, to be tried by Courts Martial, nor to adopt or sanction any measures in regard to any person or persons who may be arrested or taken prisoners after its proclamation, than shall be essential for their due detention and safe custody, until such time as they can be tried by the ordinary Tribunals of the Province.

4thly. You are not to direct or employ Her Majesty's troops for any object or to any extent whatever, without first consulting his Excellency the Lieutenant-General, or other officer commanding in his stead, and obtaining his approval and concurrence.

5thly. You are, in the event of active military operations becoming necessary for the restoration of peace and order, to leave the Lieutenant-General, or officer in command, to assume the entire military authority and sole control over the disposition of the troops.

I have, &c.
(Signed) HENRY BARKLY,
Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 2 in No. 34.

Sir,

Government House, Cape Town, May 28, 1875.

WITH reference to my despatch of the 26th instant, on the subject of the employment of the troops in Griqua-Land West, I have the honour to inform you that Lieutenant-General Sir Arthur Cunynghame, K.C.B., left Cape Town on the 25th instant, with a view of overtaking the last detachment, and superintending in person the entire force after its reaching the appointed rendezvous at Hope Town.

2. He expected to arrive at that place about the 5th proximo, and his future movements will necessarily depend in a great degree upon the information that he may receive from you on his arrival there, as to the state of affairs in Griqua-Land West.

3. If, as I venture to anticipate, the mere effect of the approach of the troops suffices to relieve your Excellency from the restraint which has for some time past been imposed on your actions by the existence of an armed organization for resisting the execution of the law, it may not be requisite for them to advance further; and the Lieutenant-General commanding may either decide on encamping the whole force at Hope Town, or sending forward only a portion of it.

4. I have informed Sir Arthur Cunynghame that, in the event of its being necessary for the troops to cross the Orange river, it will, in my opinion, be preferable that they should not move direct upon, nor be stationed at or near, the Dry Diggings, but should establish themselves at Klipdrift, or some other convenient position. The police alone, with the moral support thus afforded, will in all probability be able to re-establish the supremacy of the civil power; and it appears to me that it would be very inexpedient that the military should be called on to take an active part in enforcing the judgments of the legal tribunals of the Province, or arresting the leaders of the late Associationists, unless it should prove absolutely impossible to dispense with their aid.

5. I concur, indeed, generally in the view expressed in your Excellency's despatch of the 19th instant, that the proper course will be, so soon as your Excellency's hands are sufficiently strengthened, by the proximity of the troops, to admit of its being done with dignity and effect, to issue a Proclamation revoking that by which the Executive Council formerly declared all who had borne arms to be rebels, and offering, on the disbanding of the armed corps which had been formed, a free pardon to all, except certain persons named therein.

6. Although exonerated, by the non-compliance of the Associationists with my stipulations as to an immediate disarmament, from any limitations to the number of such exceptions, I am loath, nevertheless, to permit its increase beyond six. I leave it, however, to your Excellency in Council to extend the number to eight or nine, if it should be deemed of importance to include so many of the leaders.

7. I do not think it advisable to encumber and complicate the terms of such a general amnesty, by insisting in each individual case on the surrender of weapons; or the taking of the oath of allegiance to the Queen.

8. There can be little doubt, as you observe in the despatch alluded to, that the officers of the late Association will have taken care to obtain the re-delivery of such guns as were served out by them, and I am under the impression that the laws of the Province are stringent enough to enable the Government to search for and seize them, or any other guns acquired without lawful authority. If not, they should at once, after what has occurred, be made so.

9. As regards the oath of allegiance, its exaction in the case of Her Majesty's subjects seems a needless formality, especially as there has been no public expression of disloyalty, except it be on the part of Aylward, and perhaps some few anonymous writers in newspapers, whilst to insist on its being taken by foreigners, would be not only unusual, but contrary, I should imagine, to the comity of nations.

10. If there be among the subjects of friendly Powers at the Diamond Fields any who have openly and notoriously abused the freedom and hospitality accorded to them under the British flag by taking part in armed demonstrations against the Government, it would be better to pass a legislative enactment authorizing their expulsion, after due notice, from the Province of Griqua-Land West. I am not sure, indeed, that this would not be the best and most effective mode of proceeding with regard to all who may be excepted from the amnesty, the imposition of a disability of this sort being less likely to cause them to be regarded as martyrs,

than any severer punishment to which they may have rendered themselves liable.

11. I cannot, in fact, in conclusion, too strongly impress upon your Excellency, who may not unnaturally be still smarting under a sense of the insults offered by the protracted opposition which has been maintained to your authority, that the greater the clemency shown in the hour of triumph, the more consonant will it be with the policy which, in modern days, has been pursued in similar cases by the British Government; whereas anything that could be held to indicate a vindictive desire for retribution, will be viewed with disfavour at home, and tend materially to retard that restoration of harmony and confidence at the Diamond Fields which it is so desirable for the future welfare of society there to bring about.

I have, &c.

(Signed) HENRY BARKLY,
Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

Inclosure 3 in No. 34.

Sir,

Government House, Cape Town, May 27, 1875.

IT has been a source of much satisfaction to me to learn that it is your Excellency's intention to overtake the troops, sent hence in consequence of the state of affairs in Griqua-Land West, at Hope Town, and to superintend in person their further movements.

I have now the honour to inclose for your information copy of a letter which I have addressed to the Lieutenant-Governor of that Province on this subject, from which you will perceive that, in the performance of this duty, you are left completely to the exercise of your own discretion.

Your Excellency is so fully acquainted with the circumstances which have compelled me to take the step in question, as well as with the objects it is designed to accomplish, that it is needless for me to enter into any detailed explanation on these points. These objects, as briefly intimated to Mr. Southey, are to maintain the Queen's authority, and to afford protection to the lives and property of Her Majesty's subjects, should they be in any way endangered.

I anticipate that the knowledge of the approach of the troops will suffice to relieve the Lieutenant-Governor from the restraint, if not actual dictation, to which he has been for some time past subjected through the existence of armed bands organized for the purpose of resisting the execution of ordinary legal process, and to re-establish at once the authority of the courts of law.

The direct intervention of the troops in this restoration of the supremacy of the civil power will not therefore in all probability prove necessary, and I should not wish them to take any active part in these matters unless in your Excellency's own judgment it should appear expedient or essential. Still less do I see reason to apprehend that armed resistance will be offered to the advance of the troops, or to their being employed in such manner as you may see fit to direct, inasmuch as up to the present moment the leaders of these armed bands have been loud in their protestations of loyalty to their Sovereign.

It is quite possible, indeed, as already stated, that all the objects alluded to will have been effectually accomplished by the mere fact of the troops having been sent, and that the accounts as to the position of affairs, which you will receive from Mr. Southey and others on your arrival at Hope Town, may indicate no sufficient reasons for their crossing the Orange River and entering the Province. In such case I must leave it to your Excellency to decide whether to encamp the whole force at Hope Town pending further communications, or to direct the immediate return of all, except a detachment, not exceeding 100 men, by the same wagons that carried them up.

The latter would be the most economical course, but it would not do to adopt it, if there was the slightest chance of a fresh outbreak.

In the event of its becoming necessary either for the whole force or for a detachment of it, to enter Griqua-Land West, it appears to me most undesirable that it should march straight upon Kimberley; and I would suggest that, after crossing the Orange River by the Hope Town pontoon instead of taking the eastern road which leads to the Dry Diggings, the scene of the present disturb-

ances, it would be preferable to follow the westward or left-hand road, shown on the map, which crosses the Modder River twenty or thirty miles lower down than the other, at quite as good a drift, and goes direct to Klipdrift (now Barkly). At this township the troops could have an unfailing supply of water and wood, and could procure provisions of all kinds, and as it is only distant twenty-five miles from Kimberley, they could be near enough to the seat of Government for all practical purposes, whilst not so close as to provoke a collision or give rise to other difficulties.

I shall be glad, however, to find, when I am myself able to visit the Province, as I trust it will be in my power to do when the present Session of the Cape Parliament is over, that it has not been deemed necessary to move the troops beyond Hope Town.

I have, &c.

(Signed)

HENRY BARKLY,

Governor of Griqua-Land West.

His Excellency Lieutenant-General Sir A. Cunynghame, K.C.B.,

&c

&c.

&c.

Inclosure 4 in No. 34.

WHEREAS by Her Majesty's Royal Letters-Patent, bearing date the 7th day of February, 1873, it is amongst other things declared and ordained that the Governor and Commander-in-chief of the Colony of the Cape of Good Hope, or the officer for the time being administering the Government thereof, shall be Governor and Commander-in-chief in and over the Province of Griqua-Land West:

And that in the absence of the said Governor the Government thereof shall be administered by a Lieutenant-Governor, to be appointed by Her Majesty by warrant under Her Majesty's Sign-Manual and Signet, and further that in the event of the death, absence, or incapacity of any such Lieutenant-Governor, or if there be no such Lieutenant-Governor, then by such person as Her Majesty by such warrant aforesaid, or as the Governor of the said Province, in the absence of such warrant or instructions, may by warrant under his hand and seal from time to time appoint:

And whereas by the said Royal Letters-Patent all powers and authorities thereby granted, as are exerciseable within the said Province of Griqua-Land West by the said Governor and Commander-in-chief, are given and granted to the said Lieutenant-Governor or Administrator:

Now, therefore, I the said Governor and Commander-in-chief do hereby depute and appoint Lieutenant-General Sir Arthur Augustus Thurlow Cunynghame, Knight Commander of the Most Honourable Order of the Bath, Lieutenant-Governor of the Colony of the Cape of Good Hope, or the Senior Officer commanding Her Majesty's troops in Griqua-Land West, to administer the Government of the said Province during the absence or incapacity of any person commissioned and appointed by Her Majesty as aforesaid, and until further orders made in that behalf by me.

Given under my hand and seal at Cape Town this 26th day of May, 1875.

(Signed)

HENRY BARKLY,

Governor and Commander-in-chief of the Colony of the Cape of Good Hope, and of the Province of Griqua-Land West.

No. 35.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord,

Government House, Cape Town, June 4, 1875.

ALTHOUGH I have referred your Lordship's despatch of the 5th ultimo,* on the subject of the revenue and expenditure of Griqua-Land West, for the report of the Lieutenant-Governor, I think it better not to let a mail leave for England without giving information which happens lately to have reached me, and which is calculated materially to alleviate the anxiety with which your Lordship not unnaturally regarded the financial position of that province.

2. In a recent communication Mr. Southey incidentally informed me that the

* No. 13.

ordinary revenue, notwithstanding the disturbing causes in operation, was more than keeping pace with the estimate. It was calculated to amount for the year to 72,000*l.*, whereas the amount received during the first four months was 28,810*l.*, and from the 1st to the 15th ultimo, at Kimberley alone, 2,916*l.* This, together with the observance of strict economy, had enabled Mr. Southey, without the aid of loans, to reduce his overdraft at the Standard Bank to about 13,000*l.*, notwithstanding he had had to expend about 2,000*l.*, not estimated for, in the purchase of arms and ammunition.

3. I trust that these figures, coupled with the detailed provincial estimates which must have arrived shortly after the date of the despatch under reference, will serve to reassure your Lordship as to the capabilities of Griqua-Land West, which are far more considerable than is generally supposed.

4. It may not, indeed, be irrelevant to mention in connection with this fact that the revenue of the adjacent South African Republic, which is trying to raise 300,000*l.* for a railway in the London money market, is only estimated at 68,730*l.* for the present year, whilst the expenditure is doubtfully stated by the Acting President at 71,300*l.*

I have, &c.
(Signed) HENRY BARKLY.

No. 36.

Governor Sir H. Barkly, G.C.M.G., K C.B., to the Earl of Carnarvon.—(Received July.10.)

My Lord,

Government House, Cape Town, June 11, 1875.

I HAVE the honour to forward copy of a despatch from the Lieutenant-Governor of Griqua-Land West, covering a letter addressed to your Lordship by Mr. J. B. Robinson, of Kimberley, as chairman of a public meeting held at that place, in which the dissolution of the Legislative Council is prayed for in consequence of the protest unanimously adopted by the elective members as to the necessity for the presence of troops.

2. Mr. Southey explains the circumstances under which the transmission of the letter in question has been delayed.

3. Mr. Robinson having forwarded a duplicate to myself, I had already, by anticipation, directed the Lieutenant-Governor to inform him that, in my opinion, the moment was by no means opportune for a dissolution, and I feel confident that your Lordship will concur in this reply.

4. With every disposition on my part to encourage the return of the diggers to constitutional courses, it was out of the question to dissolve the Council, simply because it had differed from them on a point on which it was peculiarly entitled to express an opinion, and still more impossible to dissolve while resistance to the execution of the law still continued, and when it seemed probable that a new election would have to take place under the pressure of armed bands.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure 1 in No. 36.

Sir,

Lieutenant-Governor's Office, Kimberley, May 29, 1875.

I HAVE the honour to transmit herewith copy of a letter addressed, under date of the 8th instant, by Mr. J. B. Robinson to the Secretary to Government, inclosing three copies of certain resolutions passed at a public meeting, of which he was the chairman, on the 5th instant.

2. I forward also two copies of the "Diamond News" of the 8th instant, in which the proceedings that took place at the meeting are reported and commented upon.

3. I had overlooked the request contained in Mr. Robinson's letter, that one copy of the resolutions should be forwarded to your Excellency and one to the Right Honourable the Secretary of State for the Colonies, from this office, and until the receipt yesterday of your private note of the 22nd instant, I was under the impression that these copies had been forwarded under cover of separate letters addressed by Mr. Robinson to your Excellency and the Secretary of State for the Colonies in the usual manner.

4. I have already forwarded to your Excellency copies of the newspapers in which the resolutions were published, and I trust therefore that the delay referred to will not be regarded as of any material consequence.

5. I transmitted the so-called "protest" of the unofficial members of the Legislative Council to your Excellency in my despatch of the 6th instant, and need only now add to what I then stated, that in my opinion it was not desirable to proceed with legislation in which the Diggers' Association took any interest, while its members remained in arms for the purpose of intimidating.

6. In requesting your Excellency's attention to the published proceedings of the meeting at which the resolutions were passed, as contained in the "Diamond News" of the 8th instant, I may mention that Mr. Longlands, who appears to have taken a very active part therein, is believed to be the editor or chief writer in the "Mining Gazette" newspaper, which has ever supported and encouraged the doings of the Associationists.

I annex a copy of that paper of the 18th instant, in which you will find an article couched in terms calculated to encourage even armed opposition to Her Majesty's troops.

7. Of the other persons who proposed or supported the resolutions that were passed, I may mention that Mr. Owen has not been a permanent resident here. He was on the fields in the early days of diamond digging on the Vaal River, and for a time acted as an officer of the South African Republic at Klipdrift, whence he was expelled by the diggers. He came to the province again a few months ago from, I believe, King William's Town, bringing some race horses with him. Mr. Hunter is, I believe, in the employment of the Tramway Company, of which Mr. W. A. Hall is the resident head.

I have already, in previous communications, expressed my opinion that this latter gentleman has had much to do with the armed demonstration for objects of his own.

8. Your Excellency will observe by the printed report in the "Diamond News" that endeavours were unsuccessfully made by Mr. Coryndon, a leading resident attorney, Mr. Webb, the representative of the London and South African Exploration Company, and others, to carry a resolution at this meeting of so-called "moderate" men calling upon the Associationists to disarm and disband prior to any action being taken to obtain redress of grievances.

9. I need scarcely say here that many of the statements made by the individuals who supported the Resolutions as passed are quite inaccurate, but I may mention that Dr. Murphy's allegations respecting the Land Court Ordinance, and Mr. W. A. Hall's representation that the "Protest" was sent off by express to Colesberg, at a cost of 25*l.*, for the purpose of being communicated to you by telegram, are particularly so. It will not be in the power of any Governor or Government to refuse to submit claims for land to the consideration of the Land Court if the claimants desire to have them submitted, and the protest was forwarded to your Excellency by ordinary post and not by telegram.

10. In conclusion, I may add that, in my opinion, it is not the desire of the principal inhabitants that the Council should be dissolved.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,

&c.

&c.

&c.

Inclosure 2 in No. 36.

Sir,

Kimberley, May 8, 1875.

AS chairman of the public meeting held in the Kimberley Hall, on Wednesday afternoon last, I beg to inclose, for the information of the Lieutenant-Governor, copy of the Resolution agreed to at the said meeting, and also copies of the same for transmission to his Excellency the Governor and to the Secretary of State for the Colonies. May I request that these Resolutions may be forwarded by the earliest possible opportunity.

I have, &c.

(Signed) J. B. ROBINSON.

The Hon. J. B. Currey, Esq.,
Secretary to Government.

Inclosure 3 in No. 36.

*Resolutions passed at a Public Meeting held in the Kimberley Hall, on Wednesday,
May 5, 1875.*

1. THAT this meeting views with indignation a "Protest" signed by the elected Members of this Province, and handed in to the Lieutenant-Governor, stating, in effect, that the presence of troops here is necessary to ensure the meetings of Council from intimidation on the part of men in arms.

2. That this meeting regards the action taken by Messrs. Graham and Green, the elected Members of this district, in signing the Protest referred to in the first Resolution, as contrary to the wishes of the community, already expressed in public meeting, and shown by sending a deputation to Sir Henry Barkly, deprecating the presence of troops.

3. This meeting further regards the Members named as lacking the independence which should mark the conduct of public men. This meeting, therefore, calls upon Dr. Graham and Mr. Green to resign, and give this constituency an opportunity of showing, by a fresh election, its real views on the present crisis.

4. That this meeting is of opinion that a dissolution of the Council, in the present position of public affairs, would tend to the restoration of public confidence, and that his Excellency the Governor be requested to take this step without delay.

5. That this meeting pledges its loyalty to the Queen, and to use constitutional means in getting the foregoing Resolutions carried into effect; and further resolves that copies of the same, vouched by the chairman, be sent to the Lieutenant-Governor, his Excellency the Governor, and the Secretary of State for the Colonies.

I certify the above to be a correct copy of the Resolutions passed at the meeting of the 5th instant.

(Signed) J. B. ROBINSON, *Chairman.*

Kimberley, May 8, 1875.

Inclosure 4 in No. 36.

Sir, *Government House, Cape Town, June 7, 1875.*

I HAVE the honour to acknowledge your despatch of the 29th ultimo, transmitting copy of a letter from Mr. J. B. Robinson, and explaining the reason of the delay in forwarding the copies of the Resolutions addressed to the Right Honourable the Secretary of State for the Colonies and myself.

2. I request your Excellency to inform Mr. Robinson that the former will be transmitted to the Earl of Carnarvon; and also to state that, so far as my own opinion is concerned, the moment is not an opportune one for a dissolution of the Legislative Council.

I have, &c.
(Signed) HENRY BARKLY,
Governor of Griqua-Land West.

His Excellency Richard Southey, Esq., C.M.G.,
Lieutenant-Governor.

No. 37.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir, *Downing Street, July 14, 1875.*

HAVING given consideration to your despatch of the 31st May,* and looking to all the circumstances of the case, I am prepared to give my sanction to the arrangement you have made on behalf of the Crown to purchase the farm of Vooruitzicht, on which the township of Kimberley, Griqua-Land West, is situated, for the sum of 100,000*l.*

2. I shall be prepared, upon receipt of the Ordinance for creating the debentures for the payment of the purchase-money to advise Her Majesty to leave the Ordinance in operation.

3. The circumstances which have rendered necessary a step involving the Province in so very heavy an expenditure are greatly to be regretted, but the purchase probably affords the best solution, now attainable, of some considerable difficulties; and I trust that your anticipations of the financial results of the operation may be borne out.

4. This transaction will, I presume, dispose of the principal questions at issue between the Government and the proprietors of land in Griqua-Land West; but I am confident that you will see the necessity of bringing to a settlement as speedily as possible any other matters as to which a legal decision or other conclusion of differences is still required.

I have, &c.
(Signed) CARNARVON.

No. 38.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir, Downing Street, July 31, 1875.

I HAVE received your despatch of the 11th of June,* with one from the Lieutenant-Governor of Griqua-Land West, forwarding a letter from Mr. J. B. Robinson, as chairman of a public meeting, praying for the dissolution of the Legislative Council.

I am of opinion that you were right in not advising the dissolution of the Council while the Province was under the excitement of a political agitation; and you will cause Mr. Robinson to be informed that I concur in the terms of the answer which you returned to him through the Lieutenant-Governor.

I have, &c.
(Signed) CARNARVON.

No. 39.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received August 2.)

My Lord, Government House, Cape Town, July 5, 1875.

I HAVE the honour to forward copy of a despatch recently received by me from the Lieutenant-Governor of Griqua-Land West on the subject of the proceedings of the Diggers' Protection Association.

2. My narrative of occurrences at Kimberley has been for the last few weeks suspended, because of the inaction necessarily imposed on the Government there pending the arrival of the troops; whilst I was not in a position, on the other hand, to announce to your Lordship that any satisfactory concessions had been made by the leaders of the Association in question.

3. A public meeting was held on the return of the deputation from the Moderate party, which waited upon me in Cape Town, but beyond the presentation of a brief report of their proceedings, accompanied by copy of the correspondence which they had carried on, nothing of interest transpired, no further attempt being made to bring about that *bonâ fide* disarming, their inability to promise which had been the main cause of the failure of their mission.

4. That I did no more than my duty in insisting on such a disarmament, and in declining to rest content with a mere formal resolution declaring the Association dissolved, is abundantly manifest from the depositions of some of its members now forwarded by Mr. Southey, which not only show that, despite professions and pledges to the contrary, drilling secretly continued at night, while the deputation was in Cape Town; but that when it was at length brought to an end, after the so-called dissolution which was resolved on, when it was known that the troops were coming up, the men of the German Legion, and of Aylward's Company, and, presumably, all others, were allowed to retain possession of the rifles and ball-

* No. 36.

cartridges (60 rounds) which had been served out to them, with a hint that they were to be ready if again called on.

5. Whether the statements of such a man, as Franz Dahl admits himself to be, can be relied on to prove the treasonable designs of the leaders is questionable; but there seem to be sufficient grounds, independently of informers, for excepting six of their number, as I propose, viz., Messrs. Tucker, Ling, Blanch, Aylward, von Schliechmann, and Bryan, from the general amnesty which is to be proclaimed on the approach of the troops, and for sending them for trial before the High Court on charges of sedition and unlawful assembling, if they do not, in the meantime, take to flight.

6. As Sir Arthur Cunynghame, with the whole of the force under his command, crossed the Modder River on the 26th ultimo, and was, at the latest date, encamped about a day's march from Kimberley. I shall, in all probability, be able by the next mail, to acquaint your Lordship with the result of the issue of this amnesty, which I feel pretty confident will, notwithstanding the exceptions made in it, have the effect of finally breaking up this once formidable organization, without a drop of blood being spilt.

7. When this is happily accomplished, it will become practicable to investigate dispassionately, on the spot, the causes to which it owed its origin, with a view, especially now that the Government are about to become proprietors of the diamondiferous farm on which Kimberley is situated, of guarding against the repetition of similar disorders, by removing all reasons for discontent among the diggers and other inhabitants.

8. As I hope to get through all work connected with the late Parliamentary session here in the course of a few days, I purpose starting for Kimberley with this object on the 15th instant, directly after the next mail for England closes.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 39.

Sir,

Lieutenant-Governor's Office, Kimberley, June 19, 1875.

WITH reference to former despatches, in which I have brought to your Excellency's notice the unlawful and riotous proceedings of certain persons here, who had banded themselves together under the denomination of the "Diggers' Protection Association," with a view to resist, by armed force, the due execution of the laws of the Province and the maintenance of order among the various classes of people who form our community. And with reference, also, to my despatches in which I have expressed my opinion that, notwithstanding the representations to the contrary made to your Excellency by the leaders of the Association, there has been no *bond fide* dissolution of the Association, I have now the honour to transmit, for your Excellency's information, copies of statements made by two members of the Association, who had voluntarily delivered up their arms, which bear out my impression upon the subject.

2. Franz Dahl, who was the first to offer to surrender his gun, was a member of the German corps of the Association, and was induced to join it by another German named Von Schliechmann, who acted as captain of that corps. According to this man's statement, a copy of which I inclose, your Excellency will perceive that his main object in joining the Association was to place himself in a position to be able to commit deliberate murder, as soon as an opportunity for so doing offered. The man Blanch, whose murder he contemplated, was one of the principal leaders of the Associationists.

3. In order to give your Excellency some idea of the moving cause which influenced Dahl, I inclose copy of a petition addressed to me by him while he was undergoing a sentence of imprisonment some short time previous, as also copy of the Resident Magistrate's Report upon it; and I may add that I was induced to remit a portion of the sentence, as from information which reached me respecting the proceedings of Blanch and other members of the Society styled "The Vigilance Committee," I had reason to fear that there was much truth in what Dahl asserted.

4. The next statement which I inclose was made this day by B. C. von Buuren, who has also given up his gun. This man alleges that he was induced to join the Association, through fear that if he declined to do so his property would be

destroyed by its members, and, as he supposed, the Government was too weak to protect him.

5. Your Excellency will not fail to notice that according to this man's statement, he was present with other members of the Association at armed meetings at Mr. Tucker's house, after the meeting of the so-called "moderate" party on the 15th April, and the departure of Messrs. Rausch, K. Tucker, Goodchild, and Reid, as a deputation to wait upon your Excellency, thus fully bearing out the reports to that effect of the Inspector of Police which I have before transmitted to you.

6. I inclose also copies of two letters from the Inspector of Police, one containing a report of menacing language recently made use of by a man named Crowley (a member of the Association), the other giving some account of that individual's antecedents.

7. The statements of all three men bear out my own views that the Association has not been dissolved, and that there is an understanding between the leaders and the men that the latter should retain their arms in order that they might be called upon to use them at short notice.

I have, &c.

(Signed) R. SOUTHEY, *Lieutenant-Governor.*

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

Inclosure 2 in No. 39.

FRANZ DAHL, of Kimberley, maketh oath and saith:—

I am a painter by trade. In the month of March last I became a member of the body called the Diggers' Protection Association. I was asked by Von Schliechmann to join. I asked for forty-eight hours consideration. I told Serjeant Spurgeon that I would join, and he asked me to report to him anything that transpired.

Gustavus Blanch was a member of the same Association. I remember in April last being present when Blanch and Schliechmann and two other members named Von Hohenstein and Ettling discussed a plan for obtaining two canon from the Free State.

The discussion resulted in Schliechmann being dispatched to the Free State to try and arrange the matter with the Government there. I believe the funds necessary for his travelling expenses were supplied by Henry Tucker. I know that he has had money from Tucker for different purposes. I also know that he collected 68*l.* by public subscription, and spent the amount in spreeing.

Another project discussed by Blanch in my presence was that Mr. Currey and his Excellency the Governor should be seized at night, placed in a cart, and conveyed under an escort of twenty mounted men across the Orange River.

The Whitworth rifle breech-loader, Westley Richards' patent, which I now hand over to the Government, was given to me at Cowie's old store on the evening of the 19th March last by Von Schliechmann, Tucker, Blanch, and William Ling were in the building at the time. Sixty rounds of ball cartridge were also served out to me, of which I deliver forty rounds to the Government, twenty having been lost. The instructions I received with my rifle and ammunition were to fire on the Government officials if I got the order. I have received similar instructions since, and on the afternoon of the 12th April last Blanch gave an order to that effect to those in arms against the Government at the jail after the close of the case of the *Queen v. Cowie*.

(Signed) F. DAHL.

Before me, at Kimberley, this 7th day of June, 1875.

(Signed) T. R. MERRIMAN, J.P.

Before me, Thomas Reginald Merriman, Justice of the Peace for the Province of Griqua-Land West, appeared, at Kimberley, on the 8th June, 1875, Franz Dahl, who, being duly sworn, states:—

I adhere to my affidavit which I made before Mr. Merriman yesterday.

I am a Prussian by birth, and have served in the British German Legion. I came to Griqua-Land West in October 1870. I have no grievance whatever against the Government here, nor have I ever had any. I was tried for inducing native servants to steal diamonds; but I consider that the Government was perfectly

justified in proceeding against me on the evidence brought, though I say that the witnesses were bribed to convict me.

I joined the Association after having been asked several times to do so, my object in doing so was to be in a position to report their proceedings to Government, and I made reports from time to time to Serjeant Spurgeon. My chief object in joining was to be able to bear testimony against Blanch, and to prove that he was a law-breaker, as he had been the moving man in getting me convicted. I never intended to use my arms or ammunition against the Government. I intended to shoot Blanch on the first occasion that a disturbance had taken place, and then to throw down my gun.

The avowed object of the Associationists was to overthrow the present Government, and then to offer themselves and the territory to the Free State, and in the event of their overtures being rejected to constitute themselves a Republic, with Tucker as President. I have heard this discussed at Tucker's house, in his presence; he acquiesced in the scheme, and knew that he was openly talked of as the future President in the event of the Free State refusing the offer of the Association to join that State.

I was not present in May when the Association agreed to dissolve; I was then on bad terms with them, having quarrelled with Von Schliechmann towards the latter end of April, because I refused to stand sentry over Tucker; when he asked me to do so, he ordered me, as the Captain of the German Company, to bring my arms and ammunition, alleging that Tucker, Blanch, and he, were about to be arrested.

The day after this, on my return from work, I found that the gun which Von Schliechmann had served out to me had been taken from my room, but I subsequently found it hidden behind some brandy cases in Hillmer's canteen, which adjoined my tent.

I know that a gun, which had been served out by Schliechmann to a German named Sander, was taken from him because he refused to attend drill.

The understanding, when we were served with guns and ammunition, was that we might afterwards purchase the guns if we chose, but if we did not, we were to return them to the officer who served them out to us. If we lost or broke the gun we were to pay 8*l.* 10*s.* Some of us deposited 1*l.*, but others who did not got their guns all the same.

I heard from a member of the Association, named W. Byron Sampson, on the Sunday after the dissolution of the Association, that the arms and ammunition were to be left in the hands of the Association with a view to calling the body together again, to resist the Government further. His words were: "We won't be such fools as to give them up." I know him to be an influential member; he was one of the chief speakers at the private meetings.

Their chief subjects of discussion at these meetings were their lists of demands of concessions from the Government, and their plan of procedure for the overthrow of the Government, in case these demands were not complied with. These meetings always took place at Tucker's house. Blanch and Schliechmann were constant attendants, and Byron Sampson, whenever present, a principal speaker.

I am not aware that there were any armed meetings, that is to say, general armed musters, after the 12th day of April, the day of the resistance at the gaol after Cowie's case.

I only know that I and others of the German corps were called out one night to protect Tucker and others from an expected arrest.

The German corps consisted of 28 rank and file, Von Schliechmann, captain; Ettling and Von Hohenstein, lieutenants; Grussendorf, colour-sergeant; Schuman, sergeant; Schultz, corporal; Bauer, bugler; that is, 35 in all.

I do not think that more than 300 men enrolled from first to last. I have never seen their enrolment list. I was always looked upon with suspicion by the English leaders of the rebellion, but Von Schliechmann, who was then a friend of mine, introduced me to their private meetings.

I consider the chief leaders, in addition to Ling, Tucker, and Aylward, to have been Von Schliechmann, Cundill, Blanch, Cowie, Bryan, Fisher, and Albany Paddon. I know of my own knowledge that on the morning of the 12th April last a general order was issued to the Associationists by William Ling, to store their guns between 9 and 10 A.M. in Cundill's canteen, situated about 60 yards from the Magistrate's Court-house; we were further told to look out for the hoisting of the black flag on Frame's Whim at Mount Ararat, when we were to repair to the depôt with

sixty rounds of ball cartridge, obtain our guns, and fall in in front of the Court-house, with the object of preventing Cowie's being put into gaol.

About 4 P.M. Blanch came out of the Court-house and told all of us that were there to go and fetch our guns. I also heard him give the order to Albany Paddon, who was then mounted, to hoist the black flag. Blanch gave the order to load before Cowie was brought out of the side door of the Court-house.

Julius Kesler, who was one of the German corps, would, I think, be willing to hand his arms, which are still in his possession over to Government. I cannot say at present that I know of any others; I think most of the German Company would, but each one is afraid of the other lest tales might be told.

(Signed) F. DAHL

Before me, this 8th day of June, 1875.

(Signed) T. R. MERRIMAN, J.P.

Witness:

(Signed) J. IRWIN SCHULTZ, J.P.

Inclosure 3 in No. 39.

Kimberley, September 16, 1874.

To his Excellency Richard Southey, C.M.G., &c.

May it please your Excellency,

The Petition of Franz Dahl, at present a prisoner in the gaol at Kimberley:

Humbly sheweth,

THAT your petitioner was brought before the Resident Magistrate at Kimberley on the 15th day of June, 1874, by the Vigilance Committee, on the charge of illicit diamond buying, and inducing natives to steal diamonds:

That the first charge of illicit diamond buying was dismissed by the Resident Magistrate, and your petitioner was found guilty on the second charge of inducing to steal, and sentenced to twelve months' imprisonment, with hard labour, and twenty-five lashes.

That his case, on being laid before the Honourable the Recorder for confirmation, was confirmed with regard to the term of imprisonment, his Honour taking off the lashes.

That since the time your petitioner had been in the gaol of Kimberley undergoing his sentence, the boy Abraham, who was the chief witness brought against him by the Vigilance Committee, and on whose evidence he was convicted, was brought in gaol for drunkenness, and sentenced to fourteen days' imprisonment with hard labour.

That whilst undergoing his sentence the boy Abraham confessed, in the presence of the gaoler and a turnkey, and afterwards confirmed his statement in a sworn declaration before the Resident Magistrate, that he had been bribed by Mr. Blanch, of the Vigilance Committee, to appear as witness against your petitioner, and will, in the following way, and as your petitioner justly suspects, for the following reasons.

That your petitioner has found out that a certain Mr. Ritchie, a diamond digger in the Kimberley mine, having formed a kind of attachment to the petitioner's wife, and never having any social intercourse with your petitioner's household, has resorted to a low and intriguing course to satisfy his desires, and he being an intimate friend of Mr. Blanch, formerly of the Vigilance Committee, must have taken him in his confidence, so as to ensure himself of Mr. Blanch's assistance to further his purpose.

That the boy Abraham states that Mr. Blanch offered him 2*l.* to go in the box and swear that your petitioner had induced him to steal diamonds, so as to have him convicted, and in this way have him removed out of the way in a genteel and, at that time, apparently legal manner.

That your petitioner has since his conviction, through correspondence with his wife, who after his conviction has left for Cape Town, found out, as well as through other channels, that his wife does not intend to live any more with him, and further has the intention of coming up to the Fields again, in the face of all propriety, for no other purpose—that of cohabiting with said Mr. Ritchie.

That your petitioner feels himself justified in bringing these facts to your Excellency's notice, not doubting it will astonish your Excellency as to the manner in which the hand of justice is sometimes used to suit private purposes.

That your petitioner humbly begs your Excellency to take his case into consideration, as your humble petitioner considers himself at present innocently suffering imprisonment, and will direct such course to be taken by the Resident Magistrate of Kimberley as to bring the guilty parties within the powers of the law.

(Signed) F. DAHL.

Inclosure 4 in No. 39.

Section 17 of Proclamation of 10th August 1872.

Sir,

Resident Magistrate's Office, Kimberley, November 21, 1874.

IN accordance with your letter of the 6th ultimo, I have the honour to report that I believe Mr. Blanch and the late Vigilance Committee to be quite capable of the conduct imputed, but both the native witnesses have since absconded.

Abraham was drunk when he came to the office, after his discharge from gaol, so I did not take any sworn evidence. He was warned to appear next day, but failed to do so; every search has been made for him, but without success.

I consulted with the Clerk of the Peace about the case directly Dahl mentioned the matter to me, and he stated, I think very properly, that he could not proceed against Blanch for subornation of perjury unless he got some evidence corroborating that of Abraham.

Dahl has behaved exceedingly well since his incarceration, so I would respectfully recommend that the unexpired portion of his sentence be remitted.

I have, &c.

(Signed)

R. K. H. D'ARCY,

Acting Resident Magistrate.

The Honourable the Secretary to Government.

Inclosure 5 in No. 39.

I, BAREND CHRISTIAN VAN BUUREN, make oath and say:

I am thirty years of age, and was born at Cradock, where my father had a business; he died about eight years ago, when I went to the Free State, and was farm overseer to B. L. Baintjis, between Bloemfontein and Fauresmith. I came to the Diamond Fields when the new Rush was first opened in July 1871. Baintjis got me a claim, which I worked. I sold the claim in portions, and have not been a claim-holder for the last three years. I was laid up for eighteen months, during which time I went back to Baintjis' farm. About two years ago I came back, and stayed with my brother-in-law, John von Abo, who kept a produce store here, in which I assisted. I remained with him for about five months, then I went digging for others. I afterwards went up country, returning about six months ago. On my return I worked in a claim, first for Murtha, then for Paddon Brothers. I left them about a month ago, and am now washing *débris* on my own account.

While I was working for Paddon I was frequently asked to join the corps, and go and drill. I thought there was no harm in it, so after some hesitation, I went one evening to Gowie's old store, and there enrolled. Some men were sitting writing, and they took down my name. I don't think that I signed anything. I was ordered to fall in with some other men. A man, whom I do not know, then gave me the rifle and powder-flask I now produce, also about 50 bullets, and the same number of caps. I went to drill five or six times, under Captain Aylward, to whose company I belonged.

I remember the 12th April last. In the morning of that day one of Aylward's men told me that I must take my gun and ammunition to Cundill's canteen. I did so, and went to the Court to hear the case of Cowie tried. When the case was over Ling told us to get our arms, and I went to Cundill's and got mine. Many men of Aylward's Company were there; we did not form when we took our arms, but ran to the gaol and formed there. I was stationed close to the prison door, in the rear rank. We were two deep. I had not been able to find my

own gun at Cundill's, but took another one. At the gaol I saw a man, whose name I don't know, with my gun, and I took it from him, giving him in exchange the one I had, which I had loaded with ball at Cundill's. No order was given to load, but the men were calling out to load.

Aylward did not command us at the gaol, he was not there; Blanch was the man who told me where I was to stand. I did not fire that day. I brought my gun home loaded, and got a man to fire it off some days afterwards. I consider myself a British subject. I had no complaint against the Government when I joined the corps. I had four Kafir servants, who were registered, but I did not consider it a hardship having to pay their fees.

I knew that the organization was to oppose the Government. I don't know why I was persuaded to join it. I felt sorry that I had done so on the day of Cowie's trial.

About eight or ten days after Cowie's trial, Noord Graf, one of our company, said I must go to Tucker's that evening. I went there with him; we took our arms. I mean that I took mine by Graf's orders; there were about sixty men there armed. Brien drilled us outside the office in which Tucker was sitting, and after the drill called for volunteers to form the guard that night. I went home; this was on a Saturday, I was ordered to go there every Saturday. The next Saturday I went again. There were then about forty present. Brien drilled us again, and after drill said that those who had not good guns must go into Tucker's office and put down their names for new ones. I went amongst others. Tucker and another man were there; the other man I did not know.

Tucker asked me what sort of gun I wanted. I said a breech-loader. Tucker wrote down my name and said that I could get the breech-loader on the following Monday, but that I must pay 10s. a week until the cost was paid. He did not mention the cost price of the gun.

I wanted to give up my old gun when my name was put down for a new one, but the men said we must keep our guns until Kidger Tucker came back from Cape Town, when fresh orders would be given to us. I have never received any further orders, nor did I ever go for the breech-loader. I thought I had gone far enough in the matter, and would have nothing more to do with it.

I live in a tent near the Dutch Reform Church. When I joined I had a wife and three children; one child has since died. There were reports that men who would not join were to have their tents burnt. I thought I should be safer on the side of the diggers than on that of the Government, for everybody said that the Government had no one on their side.

When at the gaol on 12th April last, I looked to Blanch for orders; if he had ordered me to fire, I should have obeyed him. I deposited all my ammunition at Cundill's canteen that day, but when I went to get it in the afternoon, I only found the thirteen bullets which I now produce and the one with which I loaded my gun.

(Signed)

B. C. VAN BUUREN.

Sworn at Kimberley this 19th day of June, 1875.

(Signed)

R. K. H. D'ARCY, J.P.

Witnesses.

(Signed)

J. B. BRAZIER.

F. DAHL.

Inclosure 6 in No. 39.

Sir,

Kimberley, June 12, 1875.

I HAVE the honour to report that I have been informed that, after the termination of the meeting held yesterday to receive the report of the deputation, a Mr. M. Crowley, whom I believe is identical with the Crowley who was a drill sergeant of the Associationists, said—

“That notwithstanding the paragraph in the ‘Field’ respecting giving up arms, they are determined not to do so, unless the Commander of the forces grants an amnesty to the leaders without distinction, that they would meet the Lieutenant-General in a body, but have their ammunition with them, and should any attempt be made to take the leaders, they would resist and also have a reserve force near at hand. They have nearly 800 men they can call together within a quarter of an hour.”

In conclusion, I have the honour to state that I deemed it advisable to supply

this information in exactly the same words, or nearly so, as it was conveyed to me.

I have, &c.
(Signed) GILBERT PERCY,
Inspector of Constabulary.

The Hon. the Secretary to Government,
Kimberley.

Inclosure 7 in No. 39.

Sir,

Constabulary Office, Kimberley, June 17, 1875.

I HAVE the honour to inform you that Patrick Crowley, now or lately drill-sergeant of the Diggers' Association, was formerly a colour-sergeant in the 85th Light Infantry, and was discharged from that regiment about the end of 1861 or early in 1862. Before receiving his discharge, he left Graham's Town for the Free State, where he was employed as a school-master by one Kirk, near Aliwal, and was appointed Chief Constable of that place when H. Munnick resigned, and was dismissed for drunkenness about 1869.

In 1872, Crowley joined the Griqua-Land constabulary as a private, and was dismissed for drunken habits in 1873.

I have, &c.
(Signed) GILBERT PERCY,
Inspector of Constabulary.

The Hon. the Secretary to Government,
Kimberley.

Inclosure 8 in No. 39.

Report of the Deputation appointed at a Public Meeting in April last to proceed to Cape Town for the purpose of representing to Sir H. Barkly the state of public affairs, and the urgent necessity for his presence here.

THE deputation left here on the 18th April, and arrived in Cape Town on the 27th, excepting Mr. Reid, who proceeded by way of Port Elizabeth and was delayed.

We now wait on you with all the correspondence between ourselves and the Governor, from which it will be seen that his Excellency received us, and we desire to state that the courteous attention which he paid to our representations, assure us that, on the part of Sir H. Barkly, there is the most evident desire to satisfy all reasonable demands in the redress of the grievances under which this Province is labouring.

In consequence of certain conditions required by Sir H. Barkly as to the disbandment of all military organization on the fields, we telegraphed on the 15th May, and received an answer on the 20th, which we at once communicated to his Excellency.

This delayed us longer than we had anticipated.

(Signed) K. TUCKER.
J. H. W. RAUSCH.
A. T. GOODCHILD.

Delegates' Correspondence.

Sir,

Cape Town, April 28, 1875.

We have the honour to inform your Excellency, as Governor of Griqua-Land West, that we have been deputed by a large and influential portion of Her Majesty's loyal and well affected subjects, resident in Griqua-Land West, to proceed to Cape Town for the purpose of most respectfully representing to your Excellency the grievances sustained by the inhabitants of Griqua-Land West, by the unfortunate manner in which public affairs are administered (as they and we humbly conceive) by the Local Executive, leading to serious public discontent, and to pray your Excellency's interposition in such manner, to allay the same, as your Excellency's long experience in so many of the British Colonies will suggest.

We arrived in Cape Town only last night, and one of the deputation is still on his way down; but knowing the emergency of affairs in Griqua-Land West, we conceive it may be your Excellency's wish to receive us at once, and, if so, we will hold ourselves in readiness to wait on your Excellency at any time you may be pleased to appoint.

For this purpose, we beg to mention that our address is No. 60, Strand Street (Mrs. Gowie's) where your Excellency's communication will reach us and be immediately attended to.

We have, &c.

(Signed) J. H. W. RAUSCH.
K. TUCKER.
A. T. GOODCHILD.

His Excellency Governor Sir H. Barkly, G.C.M.G., K.C.B.,
&c. &c. &c.

*Private Secretary's Office, Government House,
April 29, 1875.*

Gentlemen,

I am directed by Sir Henry Barkly, as Governor of Griqua-Land West, to acknowledge the receipt, this morning, of your letter of yesterday's date, and to inform you, in reply, that his Excellency will be prepared to see you at Government House at noon, to-morrow.

I have, &c.

(Signed) ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Rausch, K. Tucker, and
A. T. Goodchild.

Gentlemen,

Private Secretary's Office, Cape Town, May 3, 1875.

The Governor instructs me to say, with reference to what passed when you were at Government House on the 30th ultimo, that he fully expected, ere this, to have received the promised letter, engaging that the Diggers' Protection Association should be dissolved, and the military organization it had established forthwith put an end to.

His Excellency can hardly believe that, unless you were fully empowered to give such assurance, you would have come down to Cape Town to seek an interview with him; and he desires me to add that he can no longer delay the final conclusion of the arrangements which he considers it incumbent on him to make in the present critical state of affairs at Kimberley.

I have, &c.

(Signed) ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Rausch, K. Tucker, and
A. T. Goodchild.

Sir,

Cape Town, May 4, 1875.

We have the honour to acknowledge the receipt of your letter of the 3rd instant, conveying his Excellency's intimation that he fully expected to have received ere then a letter which his Excellency appears to have understood we promised to transmit, engaging that the Diggers' Protection Association should be dissolved, and the military organization it had established forthwith put an end to.

In reply, we beg to state that the draft of a letter containing such suggestion as we have been authorized to submit to his Excellency's favourable consideration, especially the reasons which should induce him, in our humble opinion, to make a personal visit to Griqua-Land West, is wanting the signature of our co-delegate Mr. J. G. Reid, whom we have been expecting for the last two days by the "European," and whose approval and signature we considered it only proper to obtain. This will be attended to the moment he arrives.

With respect, however, to the supposed promised letter, whereby we were to engage that the Diggers' Protection Association should be dissolved, and the military organization at the Fields put an end to, we must respectfully point out that his Excellency has inadvertently fallen into an error, because, in the first place, we do not represent, nor have pretended to represent the Diggers' Protection Association or the military organization in question, but simply a respectable

section of Her Majesty's loyal subjects at Kimberley (the great bulk of them, in fact) who view with grief and alarm the present untoward public state of affairs, and do most earnestly desire his presence amongst them, believing that his Excellency's own personal investigation will suggest a mode of adjustment of our present troubles, and which his Excellency's paramount influence can alone satisfactorily determine.

In the next place, we should never have presumed to seek to appear before Her Majesty's Representative as either delegates or representatives of associations which the Lieutenant-Governor of Griqua-Land West has proclaimed to be seditious, disloyal, and illegal.

What occurred at the meeting which his Excellency was good enough to accord us was, that we expressed our own individual opinion that the Association would voluntarily dissolve, and their military organization be allowed to lapse quietly the moment it was authoritatively known that his Excellency intended to visit the Fields himself, and this is still our most thorough conviction, a conviction based on our knowledge of public feeling and public wishes which all centre in the personal presence of the Governor, and in a firm reliance in his ability and readiness to do justice.

We have, &c.

(Signed)

J. H. W. RAUSCH.

K. TUCKER.

A. T. GOODCHILD.

A. Barkly, Esq.,

Private Secretary to his Excellency the
Governor of Griqua-Land West.

Sir,

Cape Town, May 4, 1875.

Thanking your Excellency for the interview accorded us for the purpose of receiving our statement of the grievances under which Her Majesty's loyal subjects of Griqua-Land West suffer, we have now, in accordance with your Excellency's desire, to state in writing, and as concisely as possible, the heads of the most important reasons, which, in our opinion, and an acquaintance with facts, render your Excellency's personal presence in Griqua-Land West desirable.

1. The chronic state of discontent which has so long existed in Griqua-Land West, arising out of the past and present administration of the Government of that unfortunate Province, threatening to assume the aspect of open hostility between the Executive and a large and otherwise well-affected portion of the inhabitants.

2. The consternation and alarm created by the formation of political associations and the enrolment of volunteers, rightly or wrongly denounced by the Local Government as disloyal and illegal, and undoubtedly arising out of the existing state of things.

3. The existence of such associations and enrolments for aggression or defensive objects amongst a population for the greater part British, and with insignificant exceptions, really anxious to maintain their connection with the Crown.

4. The prevailing public exasperation and terror, with all their probable consequences, caused by the contemplated act of the Local Government to arm the blacks against the so-called "rebellious" whites, a measure which we denounce as one which can only end in a bloody conflict of races, which may begin in, but which will not end with Griqua-Land West.

5. The threat of introducing troops at the instance of the Local Government, and at the expense of the Province, with an exhausted exchequer, to support the Local Government, whose incompetence has made Griqua-Land West what it is—implying a reflection on the loyalty of the whole province, a measure more likely, judging from past history, to rouse, and not to quell, the passions of men of English race.

6. The spectacle of a bankrupt treasury, and the incubus of a civil staff, preposterously disproportionate to the requirements of the country.

7. The utter indifference of the Government shown to the safety, the improvement, and the sanitary condition of Kimberley (the virtual metropolis of the district, and the centre of its trade and industry), and the personal insecurity of life and property in this populous place.

8. The absence of a single local official in whose tact and firmness the people have the slightest confidence, to conciliate and restore order.

9. The idle pageant of a deliberative Council, which exists only to carry out

the vagaries of an Executive whose most important legislative measures have hitherto failed to commend themselves to the approval of Her Majesty's Government.

These are serious charges, and it has been our instructions and our duty to urge them in as serious terms upon the consideration of your Excellency.

The alarming discontent which exists in Griqua-Land West is sufficiently notorious, and the proposed demonstration of military force relieves us from the necessity of dwelling on these facts any further.

The population of the fields consists chiefly of men intent solely on diamond digging, with no higher ambition than to earn the greatest possible amount in the briefest time. They have nothing to gain by troubling themselves with politics, and have a natural and even selfish interest in supporting any Government which rules them decently.

When, therefore, we find the great bulk of this population, which hailed with rapture the hoisting of the British flag, become first agitated and discontented, and next arraying themselves in open hostility to the Local Government, it requires no great penetration to pronounce that the conduct of the latter must, to say the least of it, have been impolitic, and instrumental in creating this feeling.

The reverence of Englishmen for the law is proverbial, and it must have been a long series of executive and departmental mismanagement, and the exhibition of much misplaced self-complacency—incompetency and political blindness combined, which has led to the revulsion of sentiment which caused the unfortunate exhibition of popular temper on the 12th of April last—an exhibition to be deplored by all, but a sad proof of the disorganized state to which the Government of Griqua-Land West and its subordinates have reduced the province.

In the midst of this anarchy, alarm, and contempt of the law which now prevails in our unhappy Government, the eyes of all Her Majesty's loyal subjects have been turned to your Excellency. There is a very general confidence felt in your Excellency's ability and impartiality.

The Local Government cannot be displeased by your Excellency undertaking, at so much inconvenience, so long a journey for so desirable an object, and the population of the fields will welcome with satisfaction the arrival of the Governor, who visits them with the object to institute a rigid inquiry into the history of the proceedings and measures which have led to the present state of affairs, of affording all reasonable redress, of re-affirming lawful authority, and of making such provisions as shall, with God's blessing, render a recurrence of mismanagement like the past the most unlikely.

For these reasons, therefore, we must respectfully urge your Excellency to visit Griqua-Land West personally.

We have, &c.

(Signed) J. H. W. RAUSCH.
K. TUCKER.
A. T. GOODCHILD.

His Excellency Sir H. Barkly, G.C.M.G., K.C.B.,
Governor of Griqua-Land West.

Sir,

Cape Town, May 5, 1875.

Having seen in the papers of this morning a notice to the effect that troops were about to be despatched to Griqua-Land West, and no tidings of the steamer "European," by which we are expecting our colleague, Mr. Reid, and thinking that his arrival may be considerably delayed, we have therefore thought it advisable to send our letter on affairs at the Fields to your Excellency at once, without waiting for Mr. Reid's arrival.

We have, &c.

(Signed) J. H. W. RAUSCH.
K. TUCKER.
A. T. GOODCHILD.

His Excellency Sir H. Barkly, G.C.M.G., K.C.B.,
Governor of Griqua-Land West.

Sir,

Cape Town, May 7, 1875.

I have the honour to report to your Excellency that, owing to the detention of the steamer "European," I was unable to join my fellow-delegates from the people of Griqua-Land West, deputed to submit their grievances to your Excellency, until yesterday.

I have, since my arrival, perused the letters addressed by Messrs. Tucker Goodchild, and Rausch, to your Excellency on the 28th ultimo, 4th and 5th instant, and beg to state that I concur in the same.

I had not the honour to be present at the interview which your Excellency granted to the delegates.

Understanding that minutes of the interview were taken by your Excellency's Secretary, I respectfully beg to be favoured with a copy thereof for my information, as well as for the general use of the delegates.

I have, &c.

(Signed)

JAMES G. REID.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
Governor of Griqua-Land West.

Gentlemen,

Private Secretary's Office, Cape Town, May 7, 1875.

Your letter of the 5th instant, covering one dated 4th instant, on the state of affairs at the Diamond Fields, reached the Governor late on Wednesday afternoon.

With regard to the despatch of troops, his Excellency desires me to remind you that, having received a telegram from the Lieutenant-Governor on the 3rd, reporting that, in spite of the assurances publicly offered by the leaders of the Diggers Protection Association, a large force had assembled under arms on the night of the 26th ultimo, he caused it to be at once intimated to you that he could no longer, in the absence of any pledge on your part, defer the arrangements which had been suspended in consequence of your visit to Cape Town.

In reply, whilst admitting that you had no authority to promise anything, you merely expressed your individual opinion that if it were known that Sir Henry Barkly was about to visit the Fields, "military organization would be allowed to lapse quietly."

In your second letter of the 4th, you confine yourselves to giving your reasons for thinking that his Excellency's personal presence on the fields is desirable. Putting aside, in the first instance, that question, the Governor has to remark that many of the reasons thus given constitute the strongest grounds that could possibly be adduced for sending up the troops. After describing, for example, the exasperation and terror which are caused by the prospect of a bloody conflict of races, the personal insecurity of life and property, and the financial ruin threatened by the interruption of trade, you wind up by stating that "anarchy, alarm, and contempt of law" prevail.

Can it be questioned that, if the state of things be such as is thus depicted by yourselves, the presence of the Queen's troops is absolutely indispensable to the preservation of order and the re-affirming of Her Majesty's authority; and is it not most illogical on your part to allude to it as implying a "reflection on the loyalty of the Province?"

The Governor did certainly, for a long time, indulge in the hope that the loyalty and good sense of the bulk of the inhabitants of Kimberley would have had influence enough to put an end to that illegal armed organization which, if it has not caused, is, at any rate, instrumental in keeping up all this excitement.

He quite agrees with you in believing that the greater part of the population are well-disposed and peaceable men, bent on making money as quickly as they can by honest industry. It generally happens, however, that in sudden aggregations of diggers from all parts of the world, there is a sprinkling of unsuccessful men and of lawless and turbulent characters, who are ever ready to take advantage of any opportunity to excite disorders, by which they hope to profit.

This opportunity presented itself in the recent judgment of the High Court in favour of the registered owners of Voornitzigt, in the case of Ling; and as, owing to circumstances which need not be more particularly alluded to, the propositions publicly made for armed resistance to the execution of that judgment, instead of appealing against it legally, were not viewed with that general reprehension which they would have met with in any other community, the law was openly and successfully set at defiance, not only in that but in other cases.

Such a state of things cannot be tolerated in any part of Her Majesty's dominions; and though the Governor refrained as long as there seemed the least probability of a voluntary disarming of the Diggers' Protection Association from sending up troops, he feels that he would not be justified, on the mere weak assurance that his presence alone would suffice, in delaying any longer to call on the Lieutenant-General commanding to furnish a force adequate to restore order and re-establish the authority of the Queen's Government.

His Excellency trusts that the fact of these troops having actually started will convince all reasonable men of the futility of further opposition to the law; and with a view to allay needless anxiety and alarm, he authorizes me to inform the deputation that he will undertake even now that if the Diggers' Protection Association be at once disbanded, and all arms, for which no permit can be shown, surrendered, a general amnesty shall be proclaimed in the name of Her Most Gracious Majesty to all except the ringleaders.

It is his Excellency's intention likewise to visit the Fields as soon as the session of the Cape Parliament is over, and devote himself, in concert with the local authorities, to the introduction of such reforms as appear to him needed, and the effecting of those reductions of expenditure which it is agreed on all hands are desirable, but which the expense occasioned by the present deplorable state of affairs must tend to render very difficult of accomplishment.

I have, &c.

(Signed) ARTHUR BARKLY, *Private Secretary*.

Messrs. J. H. W. Rausch, K. Tucker,
A. T. Goodchild, and J. G. Reid.

Sir,

Cape Town, May 10, 1875.

We have the honour to acknowledge the receipt of your letter of the 7th instant, in reply to ours of the 4th, addressed to his Excellency the Governor.

We hasten to express our obligation for the manifest attention bestowed by his Excellency on the gravity of affairs in Griqua-Land West, though we fear that his Excellency's views are somewhat influenced by the statements of the local Government, whose proceedings are the sole cause of the dissatisfaction which admittedly prevails.

Still we have the most unbounded confidence in the impartiality of his Excellency, and are assured that he will patiently investigate the causes which have so notoriously produced the spectacle of the greater portion of the inhabitants of a British colony arrayed in direct collision with its local Executive. The blame cannot surely all rest with the people.

We regret to hear it stated that a large force had assembled under arms on the night of the 26th ultimo, impliedly for some illegal object, and trust that his Excellency has been misinformed, or that the local Executive is under some delusion, as all our letters from friends on the Fields, up to the 2nd instant, state "that things remain in strict *statu quo* since our departure," and none of them advert to the circumstance of a gathering on the night of the 26th ultimo, which they would hardly have failed to do had there been any substantial truth in the story as transmitted to his Excellency.

The present state of things is owing, in our opinion, and, we may add, in the opinion of the greater part of the community, to one individual, the present Secretary to Government of Griqua-Land West, Mr. John Blades Currey.

We have personally no feeling of animosity against this gentleman, and our private business has never brought us into contact with him, but it is notorious that to his official arrogance, and most offensive disregard of all the representations of grievances by the people is attributable that deepseated discontent with the Government which has at present possession of the public mind; and that although it might be possible to tread down that discontent into the dust, by the tramp of Her Majesty's troops, needed in Griqua-Land West for no other purpose than to uphold that unacceptable official in his place, it will not be eradicated by such means, nor will reconciliation and goodwill between the Government and the people be restored until the cause of alienation, in the presence there of Mr. J. B. Currey, is removed.

Let an assurance be given to us by his Excellency that Mr. Currey will be recalled from Griqua-Land West; the movement of troops, now being sent there, to uphold him in his office, suspended; and a general amnesty proclaimed to all

without exception ; and we are so satisfied of the efficiency of the above suggested means to restore peace, order, and good government in Griqua-Land West, that we will, on our own individual responsibility, undertake, in return for the concession, that the Diggers' Protection Association shall be dissolved, the military organization abandoned, and even the arms, which had been acquired without permit, given up.

We are not, as we have already explained, empowered to submit these terms, but we are so confident that they will be joyfully accepted by the inhabitants of Griqua-Land West, that we are willing to surrender ourselves as hostages into his Excellency's hands for the fulfilment of what we have now undertaken shall be done.

And we still earnestly press on his Excellency the absolute necessity of visiting Griqua-Land West himself, so as to acquaint himself with the causes of the public discontent, and to judge for himself as to the measures to restore the confidence of its population in any form of self-government.

We unhesitatingly assure his Excellency of the unbounded loyalty of the people towards Her Majesty, and of their desire to submit to the law and government, if properly administered.

We have, &c.
(Signed) J. H. W. RAUSCH.
K. TUCKER.
A. T. GOODCHILD.
J. G. REID.

Arthur Barkly, Esq., Private Secretary to
His Excellency the Governor of Griqua-Land West.

Gentlemen, *Private Secretary's Office, Cape Town, May 10, 1875.*

I have the honour to acknowledge the receipt of your letter of the 10th instant.

In reply, I am directed to refer you to my letter of the 3rd, and to point out that as yet you have not stated that you possess any authority whatever to promise that the Diggers' Protection Association will dissolve, or that the armed corps, formed under its auspices, shall be disbanded, although ample time has elapsed since the interview granted to you by the Governor for communication with the Fields and the receipt of a reply, by electric telegraph.

His Excellency regrets to see from the newspapers that so far from there being any prospect of such pledge of disarmament being given, a motion to that effect has recently been rejected at a mass meeting held at Kimberley.

Under these circumstances, the Governor does not perceive that anything is to be gained by a prolongation of this correspondence.

I have, &c.
(Signed) ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Rausch, K. Tucker,
A. T. Goodchild, and J. G. Reid.

Sir, *Cape Town, May 14, 1875.*

We have the honour to acknowledge the receipt of your letter of the 13th instant, communicating to us his Excellency the Governor's opinion, that ample time had been allowed us to get a reply from the fields to our recommendation that the Association should dissolve and disband, and that nothing could be gained by a prolongation of the correspondence between us and his Excellency.

Since receiving the letter above referred to, the following telegram has been received by us, by which his Excellency will see that the Association is dissolved.

His Excellency will now see that the deputation have done their utmost to bring about a result so earnestly desired by all true-hearted men, and as the messenger is awaiting a reply from us at Colesberg, we beg most respectfully to request that his Excellency's favourable consideration may be given to this communication and his instructions to us, as to what reply we may make forwarded to us with as little delay as possible.

We have, &c.
(Signed) J. H. W. RAUSCH.
K. TUCKER.
A. T. GOODCHILD.
JAMES G. REID.

Gentlemen,

Private Secretary's Office, Cape Town, May 15, 1875.

The Governor hears with pleasure that the Association has dissolved.,

He understands by this, as already explained, verbally and by my letter of the 7th instant, that the Diggers' Protection Association has not merely ceased to drill and disbanded its so-called corps altogether, but that all guns and ammunition, arms and accoutrements of whatever description, belonging to the late Association, or acquired in any way by its members without lawful authority, since the Association was founded, will be forthwith given up to the local Government.

Without this the dissolution of the Association would be a mockery and delusion, as an armed organization to resist the operation of the laws might be formed next day under some other title. On being satisfied on this point an amnesty will, as promised in my letter above referred to, be proclaimed to all except the leaders—say six in number.

The Governor will likewise therefore give orders for the return of the troops to Cape Town; reserving to himself, however, full discretionary power to direct the detachment now in the karoo to continue its march, if he shall see fit to do so.

It is the Governor's intention to pay a visit to Griqua-Land West as soon as the Session of Parliament here is over.

I have, &c.

(Signed)

ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Rausch, K. Tucker,

A. T. Goodchild, and J. G. Reid.

Sir,

Cape Town, May 17, 1875.

We have the honour to acknowledge the receipt of your letter of the 15th instant, for which we tender our thanks to his Excellency.

We have, however, to point out an ambiguity, which, if not rectified, may lead to future trouble. In your letter of the 7th instant you advise us that his Excellency has authorized you "to inform the deputation that he will undertake even now, that if the Diggers' Protection Association be at once dissolved, the so-called military corps disbanded, and all arms, for which no permit can be shown, surrendered, a general amnesty shall be proclaimed in the name of Her Most Gracious Majesty to all except the ringleaders."

So far as we could undertake to do so we agreed that the military corps should be dissolved, and should surrender all arms for which no permit could be shown—but in your letter of the 15th in reply to our letter of the 14th, informing you that the Association had dissolved, you say "that all guns and ammunition, arms and accoutrements of whatever description belonging to the late Association, or acquired in any way by its members without lawful authority since the Association was founded, will be forthwith given up to the local Government."

As this paragraph now stands divided by the word "or," it may be construed to mean that not only are the arms, &c., acquired without lawful authority to be surrendered, but that all arms, however lawfully acquired and for whatever lawful use or necessity, in the hands of the ex-members of the late Association, are to be likewise surrendered.

We presume that the word "or" was inadvertently used in the place of "and."

Meanwhile we have forwarded your letter and dispatched a telegram announcing its contents to the Field.

It is not for us to attempt to bandy arguments with his Excellency, but we cannot refrain from respectfully soliciting his attention to the inclosed marked "X" extract of a letter from Mr. Currey, the Secretary to Government of Griqua-Land West, to Messrs. Tucker and Ling, dated 7th May, which clearly implies that a dissolution of the Association would be followed by a general amnesty, and we desire to record our own deliberate conviction that any attempt to single out and prosecute the so-called ringleaders will only add to the popular discontent, create a reactionary feeling, and end in the humiliation of the local Government, and consequent injury to lawful authority.

We have, &c.

(Signed)

J. H. W. RAUSCH.

K. TUCKER.

A. T. GOODCHILD.

JAMES G. REID.

Gentlemen,

Private Secretary's Office, May 18, 1875.

With reference to your letter of the 17th, I beg to point out that, as the words "without lawful authority," contained in my communication to you of the 15th instant, do not precede but follow the word "or," that word cannot possibly refer, as you contend, to arms lawfully acquired. The phrase "or acquired in any other way" was intentionally inserted, as the Association might be in possession of arms which were not their own property but borrowed for the occasion.

With regard to the paragraph quoted from Mr. Currey's letter, it was not designed to imply a general amnesty, and such a construction cannot be forced grammatically upon it,—to point out that if the Association be not voluntarily dissolved, punishment must fall on all its members, is surely the very reverse of promising that all will be pardoned if it is.

In insisting on only six exceptions from the general amnesty, the Governor feels that he has gone to the utmost length, consistent with the proper discharge of his duty as Her Majesty's Representative.

I have, &c.

(Signed)

ARTHUR BARKLY, *Private Secretary.*

Messrs. J. H. W. Rausch, K. Tucker,

A. T. Goodchild, and J. G. Reid.

Sir,

Cape Town, May 20, 1875.

We have to acknowledge your letter of the 18th instant, and note its contents with profound regret.

It appears now that a harassing provision, not mentioned in your letter of the 7th instant, and most certainly not contemplated by us when we honestly acceded to the original terms insisted on by the Governor, has been introduced with his Excellency's terms, as now conveyed by your letter, intentionally and in such a manner, that nothing short of our having accidentally noticed that the disjunctive instead of the conjunctive particle was used (a circumstance which might easily have escaped observation), would have made an enormous difference in the terms proposed to and accepted by us, in all good faith, but now most materially varied.

The Association, however, is dissolved, and we are at a loss to understand what "borrowed arms" it could possibly, even as an Association, be in possession of; but if any of its late members have had the loan of any arms, they are or will be returned, we suppose, to the lenders, who are entitled to claim them, and will no doubt do so.

The effect of the new demand, which is simply to require that every man who has once been a member of the Association shall be deprived of arms, his lawful property, lawfully acquired, and in a community with thousands of armed savages, constituting a part of its integral element, will be to arouse a general spirit of resistance; and we, therefore, so far as we have any voice in the matter, decline to assent to it, and warn the Governor of the consequences of such a measure, if sought to be carried out.

It is not necessary to reiterate our remarks on the impolicy of a partial amnesty, and we assume that further remonstrance on our part will be useless.

We have, &c.

(Signed)

J. H. W. RAUSCH.

K. TUCKER.

A. T. GOODCHILD.

JAMES G. REID.

Arthur Barkly, Esq., Private Secretary to

His Excellency the Governor of Griqua-Land West.

Sir,

May 20, 1875.

Since writing the foregoing letter, we have received the following telegram, which we forward for the consideration of his Excellency Sir H. Barkly.*

We have, &c.

(Signed)

J. H. W. RAUSCH.

K. TUCKER.

A. T. GOODCHILD.

JAMES G. REID.

* Not transmitted.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, August 4, 1875.

AS you are aware, the affairs of the Province of Griqua-Land West have from the first been the constant cause of grave anxiety to me, and while I have endeavoured to hope that with the course of time it would gradually make its way towards the prosperity which the Lieutenant-Governor and yourself have confidently anticipated, the progress of events too clearly indicates that the prospects of the Province are becoming more and more unsatisfactory, and that a reconsideration of all the financial and administrative arrangements can no longer be delayed.

2. For months past I have pressed for the Estimates of Revenue and Expenditure of the current year. So far back as September last I desired that the Lieutenant-Governor should be requested to prepare and send home the Estimates forthwith. I recalled to his mind the explicit directions of my predecessor given in the year 1873, by which he was charged to prepare and send home data such as would enable an opinion to be formed of the financial condition of the Colony, and in accordance with which the Estimates for this year ought, at the date of my despatch (September 9, 1874),* to have been under consideration. I pointed out matters upon which full explanations were desired, and I showed that through his failure to observe the express directions given to him, I, upon whom the responsibility of the financial administration of the Colony must ultimately rest, have been left in ignorance of matters which it most concerns me to be informed of.

3. This despatch, however, did not elicit any information, and on the 13th of March last I was compelled to point out that the inquiries made in it still remained unanswered, and that the instructions of my predecessor seemed to have been entirely overlooked; and I repeated the expression of my desire that information of a reliable nature, and in a clear and satisfactory form with respect to the financial transactions of the year 1874, should be provided.

4. I have at last received the Estimates of Revenue and Expenditure for the Province of Griqua-Land West for the year 1875, and I am surprised and disappointed to find that, though their preparation has been delayed till long after the time when they ought to have been received by me, they still fail to afford the necessary and usual explanations in many respects. Nor is my surprise lessened by the extraordinary intimation in the Lieutenant-Governor's despatch that it was his intention to have entered upon a discussion of the financial condition and prospects of the Colony, but for the fact that some of your despatches covering my own on the subject had been mislaid. Some, indeed, of the Lieutenant-Governor's expressions appear to me only to lead to the conclusion that he holds it to be unnecessary that I should consider the Estimates before the expenditure is incurred.

5. I need hardly say that I differ entirely from Mr. Southey if such are his views on this matter. If the circumstances of Griqua-Land are exceptional, they should be treated with exceptional caution, and, with this object I am compelled to insist that the Estimates shall be prepared in time for their submission to me before expenditure is incurred, and in a form to render such consideration possible; and I have to reiterate, in the most positive terms, the instructions conveyed by my predecessor on this head in the despatch already referred to.

6. Certainly there is nothing in the past history of Griqua-Land West to induce me to relax a single safeguard against extravagant expenditure, or to make me cease to regret that any precautionary measures enjoined upon the Lieutenant-Governor have been disregarded. I find that in 1874 the estimated revenue (excluding the duty on bank notes and bank cheques) was 80,200*l.* and the actual revenue only 59,753*l.*, while the expenditure (exclusive of surveys and public works) was 75,786*l.* At that period the expenditure incurred on surveys and public works had been about 20,000*l.*, which there were no funds to meet, and to this the Lieutenant-Governor now proposes to add largely in the current year, meeting the deficit by loans.

7. If I add to that the very heavy expense of moving the troops recently sent to the Diamond Fields, and the purchase-money of the farm of Vooruitzicht, the

* No. 3

general burden of debt accumulated by charges over which I have had no control, and for which, though I have not thought it right to disapprove them, my previous sanction was, under the pressure of circumstances, neither asked nor obtained, cannot well be less than 150,000*l.*, and even though it may be true that the purchase of the farm is to be regarded as an investment expedient under all the circumstances, and likely to prove ultimately remunerative, still the necessity for repaying the principal and interest of the debt cannot but be a severe strain upon the resources of the Colony.

8. The financial history of Griqua-Land has, indeed, from the first singularly disappointed the calculations which had been made. Taking the estimated and actual revenue and expenditure since 1872, I find them to be as follows :—

			REVENUE.		EXPENDITURE.	
			Estimated.	Actual.	Estimated.	Actual.
			£	£	£	£
1872	..	..	46,763	58,437	27,273	48,604
1873	..	..	66,822	66,973	63,786	71,153
1874	..	..	80,200*	59,753*	71,747†	75,786‡

9. It thus appears that the expenditure has been in every year under-estimated, but that, as compared with 1872 (the year in which Mr. Southey first became Lieutenant-Governor of Griqua-Land), the Revenue has risen only from 58,437*l.* to 59,753*l.*, while the expenditure has increased from 48,604*l.* to 75,786*l.* On the other hand, the white population, which in 1872 was estimated to be 16,000 or more in number, has, as far as I can learn, decreased very considerably, and does not at the present moment exceed from 7,000 to 8,000 persons. It would thus appear that while in 1872 the Government of the Colony was conducted for 3*l.* per head of the white population, it now costs more nearly 10*l.* per head. Nor is the population distributed over a large district with long distances between the principal centres. The Province in its full extent contains no more than 18,000 square miles, and by very far the largest number of its inhabitants are concentrated in one or two mining towns or camps lying at no great distance from one another, circumstances which obviously facilitate all the ordinary processes of government, and which, I should have expected, would have conducted to economy in civil establishments and consequent reductions of expense.

10. It is true that the chief source of income in the Colony has been of a fluctuating character, and that therefore it is not to be wondered at if the revenue should in some years be much larger than in others, but I cannot but observe that the expenditure has been measured by the maximum rather than by the minimum receipts, and that no sufficient margin has been reserved for the results of fluctuation in the diamond trade.

11. The Lieutenant-Governor appears to have looked out for some stable source of revenue, and to have been of opinion that he had found it in the landed resources of the Colony. I am ready to admit that, if the lands of the Colony could be disposed of in the advantageous manner he anticipates, its resources would be greatly increased, but however much I may desire to look hopefully upon the future of the Province, and to anticipate that at some future day a large part of it may be occupied by a pastoral and agricultural population, it is clear that the fulfilment of any such hope is not near at hand, and that to organize the Government with a view to their immediate realization, is in the nature of a speculation.

12. Setting aside, then, the anticipation of revenue to be derived in future years from Crown lands (which, I may observe in passing, would more properly form a fund for special objects connected with the permanent improvement and development of the Province), and turning to the proposals which the Lieutenant-Governor makes for immediate extrication from embarrassment, I find to my great disappointment, and I must add, astonishment, that the only really considerable economy which is proposed arises from a large reduction of the police force. These it is proposed to reduce from 102 officers and men (85 constabulary and 17 mounted police) to a force of 65 constabulary and 9 mounted police, or 74 in all, and this at a time when, in consequence of the Lieutenant-Governor's representations of his

* Excluding duty on bank notes and bank cheques.

† Exclusive of debt to the Cape Government.

‡ Exclusive of Surveys and Public Works.

inability to preserve the peace of the country, troops have been moved up to Griqua-Land at an enormous expense, the burden of which must fall upon the Colony. Taking all this into account, I should have thought that, as Mr. Southey must be aware, that the peace of the Colony must be henceforward maintained not by Her Majesty's troops, but by the police of the district, he would rather have looked to an augmentation than a diminution of this force.

13. I should, however, be only too glad to find that when matters are more settled, Mr. Southey's estimate of the necessary force will prove adequate; and, indeed, difficult as it is for me, at this distance from the spot, and in necessary ignorance of many details, to form a decided opinion on such a point, I own that I fail to see the evidence of extreme turbulence and impracticability in the population of the Diamond Fields, such as is described in some of Mr. Southey's later despatches. On the contrary, I incline to adopt, with respect to the bulk of them, the opinion expressed more than once by yourself, that they are in real sentiment loyal and orderly. Nevertheless, I cannot but be aware that there may well be disturbing and dangerous elements in such a population which must make the maintenance of order a matter which cannot be postponed for any consideration, and that there are in the relations of the Colony with its neighbours, and in the constitution of political parties within itself, some elements of difficulty not to be met with elsewhere.

14. From the correspondence which passed at the time of the annexation of Griqua-Land, I understand it to have been only a strong feeling of duty towards those inhabitants of the Cape Colony and other British subjects who had flocked to the Diamond Fields in 1871 which induced my predecessor in this office, and Her Majesty's then Government, to consent to advise the Queen to include in her dominions a territory the most important portions of which were subject to conflicting claims from three independent parties, and where it was only too likely that these claims, in their unsettled condition, would lead to much practical embarrassment in the government of the Colony. As you are aware, the annexation was sanctioned upon the passing of the resolutions by the Cape Parliament asserting that it was desirable and needful (among other things) for the interest of the Cape that the territory should be annexed; and certainly there is nothing in the subsequent proceedings of that Parliament, or in the other circumstances of the case, which can lead me to conclude that the English tax-payer is under any obligation to share the expenses and the liabilities of a Colony established, not for any strong imperial reason, but rather on the vote and at the request of the Cape Legislature, and for objects and interests directly affecting the people of South Africa.

15. I am aware that it has been maintained that the present Parliament of the Cape is not bound to carry out the engagements of its predecessor; but this doctrine would involve so serious a departure from that clear understanding which should govern all dealings between Governments, that I have little doubt that the Members of the present Parliament will adhere to the strictest and most favourable interpretation of the engagements entered into by their predecessors, and will feel that it is as expedient as it is right to accept the Resolutions of 1871 as morally binding upon themselves.

16. In explanation of my views on this subject, it may be desirable that I should here repeat the observations which I made in my despatch of the 25th April, 1874. In paragraphs 6 and 7 of that despatch, I said, "The disputes and complications to which you referred in 1871 would appear to have increased rather than to have made progress towards settlement since that time, while, on the other hand, no advance whatever has been made towards the fulfilment of the understanding on which Her Majesty's late Government appear to have sanctioned the acceptance of Griqua-Land West as British territory. Nothing can be more clear than that the Resolutions which were adopted in July and August, 1871, by both Houses of the Cape Legislature, constituted an undertaking on the fulfilment of which by any subsequent Colonial Administration the Imperial Government were entitled to rely, and which, whatever might be the view taken of it by the succeeding Parliament, was entitled to their scrupulous respect, and was morally no less binding upon them than an enactment. I should, therefore, be slow to believe that your Ministers and the present Cape Parliament would be inclined lightly to set aside the obligations to which their immediate predecessors pledged themselves. If I do not misapprehend what was then agreed to, the Resolutions of the Cape Parliament clearly recognized the terms on which Her Majesty's late Government consented that Griqua-Land should become British territory, namely, that the Cape Government and Legislature

should undertake the responsibility of the administration of the territory, even to the extent of making good the cost, if any, which might result from a deficiency of the local revenues."

"How far this is an arrangement to which, had I then held the seals of this office, I should have felt disposed to become a party, it is needless for me here to consider. It is sufficient to observe that it was an engagement deliberately entered into by the Home Government and the Cape Colony; and that, looking to the wise and almost invariable practice under which, in questions such as these, successive Governments hold themselves morally bound to accept and to perform the promises made by their predecessors, I cannot conceive that there would be on the part of the Parliament of a great Colony such as the Cape, any desire to evade an obligation of good faith and honour."

"It would, indeed be the wish of Her Majesty's Government to smooth any difficulties, and to facilitate the task which the Cape Parliament has taken upon itself, and to co-operate with them to the utmost of their power; but I feel bound to state, in no doubtful terms, that, so far from being prepared to consent to any addition to the extent of a province which, in the circumstances to which I have referred, they hold provisionally, and, I may say, in trust for the Cape, Her Majesty's Government feel that the recent occurrences which you have brought to their notice in connection with the Bechuanas render it incumbent upon them to consider very seriously (and, of course, with all due regard for the interests and wishes of the Cape Colony) how long it will be possible for the existing relations of Griqua-Land West both to this country and to the Cape to continue."

17. But, whatever the future of Griqua-Land West may be, I cannot, in the meanwhile, afford to wait for the results of what may yet be protracted negotiations. The present unsatisfactory, and even dangerous state of affairs, demands that immediate steps should be taken to meet the great and increasing difficulties of the moment; and I see nothing left but to cut down at once, with an unsparing hand, every unnecessary expense, and to place the administration on a far more economical and, at the same time, as I hope, on a more effective footing.

18. A strong opinion has for some time been expressed, both within and without the Province, that the civil establishments and the whole machinery of Government have been larger and more costly than the simple requirements of so small a community demand; and even if it could be shown that it will be possible in the future to raise the large revenue required for their maintenance, I should not feel any the more justified in subjecting the people to an unnecessary load of taxation.

19. It will be evident that the first step in any complete scheme of retrenchment will be the substitution of a less highly-paid officer for the present Lieutenant-Governor. It involves no disparagement of the distinguished and very remarkable services rendered by Mr. Southey during a long official career if I observe (what, indeed, is a matter of notoriety) that it has become almost impossible for him, after all that has occurred, to hold that position of neutrality which should characterize the personal relations of the Lieutenant-Governor with as large a proportion as possible of the community; and even if could I think the continuance of his high salary justifiable, I should, on many grounds, think it desirable for him now to make way for another officer. A pension of 1,200*l.* a-year is secured to Mr. Southey by an Act of the Cape Parliament, and I should not be unwilling to sanction a small addition to this amount from the funds of the Province.

20. Mr. Currey, the Secretary to Government, has assumed an attitude both towards yourself and towards a large section of the community, which I am compelled strongly to disapprove, and I am of opinion that he also should retire from the service of the Province. I see no occasion whatever for maintaining so expensive an office as that held by him, as with the aid of a Treasurer and an Attorney-General the Officer administering the Government should be fully able to transact the business of Griqua-Land West; I should wish to be informed whether Mr. Currey is likely to be thought suitable for re-employment under the Cape Government. Any compensation that may be made payable to him must, I presume, be paid from the funds of the Province.

21. The precise details of the revised establishment which may be required it is not of course easy for me to define, and before they are finally settled it will be desirable that I should be informed how far it is your opinion that reductions may be carried; but as at present advised, I am inclined to think that for the government of the population of the Province, having regard to its numbers, situation, and social condition, the following civil and judicial establishment would be sufficient,

viz., an Administrator of the Government, acting also as Colonial Secretary, and assisted by a Treasurer, a Judge or Recorder, and an Attorney-General; also a Head of the Police, who should also be a Police Magistrate, and one, or perhaps two, other resident magistrates.

22. But beyond and above any reduction in establishments, I should look for an earnest endeavour to diminish expenditure in every department and to bring the cost of Government down to such a level that no industry may be heavily burdened and that the inevitable fluctuations of mining industry may be insured against so as not to bring the Colony into difficulties at every unfavourable turn.

23. In order, however, to reconstruct the administration on a firm basis, and to understand distinctly the financial position of the province, it will be necessary to clear away completely the confusion with which the public accounts are surrounded; and I have it in contemplation to appoint at a very early date some competent person to report fully upon all matters connected with the revenue, expenditure, and liabilities of Griqua-Land West.

24. Your approaching visit to the province will enable you to consider carefully and on the spot in what manner practical effect may be given to the views which I have enumerated. I rely upon your candid co-operation in effecting the changes which I believe to be required, and I am confident that you are desirous on every ground that the successful administration of a province for which, from its annexation up to the present time, you have been so specially responsible, should, if hitherto delayed, be shown at least to be ultimately practicable.

I have, &c.
(Signed) CARNARVON.

No. 41.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received August 5.)

My Lord,

Government House, Cape Town, July 10, 1875.

IN continuation of my despatch of the 5th instant,* I have the honour to inform your Lordship, that the force under the orders of Lieutenant-General Sir Arthur Cunynghame, after being encamped from the 26th to the 29th ultimo within easy distance of Kimberley, entered that town on the forenoon of the 30th, as had been previously arranged at a conference between Sir Arthur Cunynghame and the Lieutenant-Governor.

2. The soldiers were received with every sign of loyalty and cordiality by the inhabitants; and, after having halted for a few hours in the market-square, continued their march the same afternoon towards the township of Barkly, near which they will remain until my arrival in Griqua-Land West.

3. On the following morning Mr. Southey issued the Proclamation which had been previously agreed on, granting an amnesty to all except six of the persons who had wrongfully and unlawfully assembled under arms to resist the execution of the law, on condition only of their surrendering within fourteen days such arms and ammunition as may have been supplied to them by the Diggers' Protection Association, or making a declaration on oath, that the arms they had carried were their own property, lawfully acquired prior to their becoming members of the Association.

4. Simultaneously with the issue of this Proclamation, five out of the six persons excepted therein, viz., Messrs. Tucker, Ling, Blanch, Von Schliechmann, and Brien, were arrested by the police, without the slightest show of resistance, on a charge of sedition and riot. The sixth, Aylward, after starting for Natal, and causing an account of his death on the road to be inserted in the newspapers, is supposed to have returned to Griqua-Land West, where search is being made for him in a remote district of the Province.

5. The five arrested, after having been brought before the Resident Magistrate of Kimberley, were remanded till the 3rd instant, with a view to the production of further evidence, bail meanwhile having been accepted in each case, 1,000*l.* on personal security, with two sureties for 500*l.* a-piece.

6. As no official report has yet reached me either from the Lieutenant-General commanding or from the Lieutenant-Governor, I inclose newspapers containing full

accounts of all that has occurred, with the view of obviating any feeling of anxiety on the part of Her Majesty's Government.

7. It will be seen that everything passed off quietly; and I feel confident that the moderation of the course pursued by the authorities will have the best effect on that portion of the community which was at one time disposed to sympathize with the disaffected.

I have, &c.
(Signed) HENRY BARKLY.

Inclosure in No. 41.

Proclamation.

[No. 14, of 1875.]

By his Excellency Richard Southey, Esquire, Companion of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of Griqualand West.

WHEREAS by my Proclamation No. 6 of the 19th of March, 1875, I did solemnly warn all the inhabitants of this Province against taking illegal oaths, or assembling together in arms, or drilling without lawful authority, or committing other seditious or treasonable acts of whatsoever nature, as they should answer the same at their peril:

And whereas certain persons did, in opposition to my said Proclamation, continue to enrol themselves in illegal bodies, and to arm and drill in defiance of Her Majesty's Government:

And whereas some or all of the said persons did, on the 12th day of April, 1875, wrongfully and unlawfully assemble under arms in the town of Kimberley, in this Province, with the avowed purpose and intent of then and there preventing, by force of arms, the execution of a sentence passed by a duly qualified Court of Justice, and did wrongfully, unlawfully, and violently, resist the officers of justice then and there engaged in the lawful discharge of their duty:

And whereas by my Proclamation No. 10 of the said 12th day of April, 1875, I did declare all such last-mentioned persons to be in rebellion against Her Majesty:

And whereas the said persons were members of a certain Association, called the Diggers' Association of the Combined Camps, or the Diggers' Protection Association of the Combined Camps:

And whereas his Excellency Sir Henry Barkly, G.C.M.G., K.C.B., the Governor of this Province, has expressed his willingness to grant an amnesty to all the members of the Association, except a limited number of the leaders or chief promoters of the organization, or of the armed movement of the 12th of April aforesaid, on condition of the disbandment and dissolution of the said Association, and the surrender to the Government of all arms and ammunition acquired by the said Association, or by individual members thereof, without lawful authority:

And whereas it has been represented to his Excellency the Governor, by one Henry Tucker, lately styling himself the Chairman of the said Association, that at a meeting of the said Association, held on the 8th day of May, 1875, a Resolution was passed declaring that the organization should be dissolved, and that it was then and there dissolved in accordance with such Resolution:

And whereas, notwithstanding this representation and Resolution, I have received information that a large number of rifles, and other warlike weapons, as also a large quantity of ammunition which had been from time to time issued to the members of the said Association by the leaders and officers thereof, or had been otherwise acquired by members of the said Association without lawful authority, were at the time of the said alleged dissolution of the said Association left in the possession of the men to whom they had been so issued, or by whom they had been so acquired:

And whereas the said arms and ammunition are still in the possession of the said persons:

And whereas no attempt has been made by the leaders of the said Association to collect the said arms and ammunition, and no public intimation has been given by the said leaders that it is their wish and desire that the Governor's just and very lenient requirements should be honestly and fully complied with:

And whereas [the said leaders plead as an excuse for their conduct in this respect that, after the passing of the Resolution hereinbefore referred to, by which the said Association was dissolved, they ceased to possess any authority over the members, and were, therefore, unable to cause the said arms and ammunition to be surrendered to the Government :

And whereas the time has now arrived at which I may properly afford the great majority of the misguided persons who formed the said Association an opportunity of relieving themselves of the serious consequences which follow the commission of such illegal acts as they have taken part in :

Now, therefore, in the name of Her Most Gracious Majesty the Queen, I do hereby offer and extend an amnesty to all the persons hereinbefore referred to, save and except those named in the Schedule hereunto annexed, who, before twelve o'clock at noon on Thursday, the 15th instant, shall either deliver at the Police Barrack at Kimberley, any rifle or other arms, and any ammunition which may have been supplied to them by the said Association, or by any officer, member, or agent thereof ; or shall, before that time, appear at the said Police Barrack, and declare before one of Her Majesty's Justices of the Peace for the District of Kimberley that at all times when appearing under arms, as members of the Association, they carried no arms but such as were their own property, lawfully acquired prior to their becoming members of the said Association.

Members of the said Association who may be absent from the Province, and who are not excepted by name from the provisions of this amnesty, will be included in it, if, before the time above-mentioned, any of their relatives or friends shall, on their behalf, comply with either of the foregoing conditions.

Schedule of Persons excepted.

1. Henry Tucker.
2. William Ling.
3. Alfred Aylward.
4. Gustavus R. Blanch.
5. Conrad Von Schliechmann.
6. John Brien.

God save the Queen !

Given under my hand and the Public Seal of this Province, this 1st day of July, 1875.

(Signed) RICHARD SOUTHEY,
Lieutenant-Governor.

By command of his Excellency the Lieutenant-Governor.

(Signed) JOHN B. CURREY, *Secretary to Government.*

721

CORRESPONDENCE

RELATING TO THE

COLONIES AND STATES OF SOUTH AFRICA.

PART II.

NATAL.

(In continuation of C. 1187 of April 1875.)



Presented to both Houses of Parliament by Command of Her Majesty.
August 6, 1875.

LONDON:

PRINTED BY HARRISON AND SONS.

[C.—1342-1.] *Price 7½d.*

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26	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	May 17, 1875 (Rec. June 23)	Stating that the Proclamation inclosed in Lord Carnarvon's despatch of the 3rd December, 1874, has not yet been formally issued to the natives, and that it cannot be issued, as it stands, until the removal of Langelibalele from Robben Island	29
27	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	May 17, 1875 (Rec. June 23)	Proposition to establish a narrow belt of farms on the Langelibalele location, comprising about 33,000 acres, to be occupied by white men	29
28	To Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 28, 1875	Message alleged to have been sent by the Bishop of Natal to members of the Amahlubi tribe	31
29	To Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 28, 1875	Approving his having withheld the issue of the Proclamation inclosed in a despatch from Colonial Office of the 3rd December last, and stating that no steps can be taken in the matter until arrangements for the disposal of Langelibalele have been completed ..	32
30	Governor Sir H. Barkly, G.C.M.G., K.C.B.	June 4, 1875 (Rec. July 3)	Passing of Bill to repeal the Act No. 3 of 1874, and transfer of Langelibalele and his son from Robben Island to a suitable location on the mainland	32
31	To Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	July 3, 1875	Sanctioning his proposal to establish a belt of farms on the Langelibalele location for the occupation of white men	34
32	Governor Sir H. Barkly, G.C.M.G., K.C.B.	June 10, 1875 (Rec. July 5)	Submitting an Act passed by the Cape Parliament to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof ..	35
33	To Major-General Sir J. G. Wolseley, G.C.M.G., K.C.B.	July 5, 1875	Sale of confiscated property of the people of Putili's tribe; steps taken to compensate them for their losses, and drawing attention to the irregular method of keeping the accounts	37

No. in Series.	From or to whom.	Date.	SUBJECT.	Page
34	To Governor Sir H. Barkly, G.C.M.G., K.C.B.	July 15, 1875	Respecting the Bill passed by the Legislature of the Cape for the location of Langalibalele, and stating that the Act to repeal the Act No. 3 of 1874 will receive the confirmation of Her Majesty	37
35	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 10, 1875 (Rec. July 21)	Forwarding statement of receipts and payments, to 31st ultimo, on account of the Langalibale expedition	37
36	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 16, 1875 (Rec. July 21)	Message of Cetywayo, King of the Zulus, expressing fears of being attacked by certain tribes, and the reply thereto	39
37	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 16, 1875 (Rec. July 21)	Transmitting an Address to the Queen covering an Address to Sir B. Pine relating to the proceedings of the Government during the late operations against Langalibalele	40
38	To the Officer Administering the Government, Natal	July 27, 1875	Informing him that the Address from the Legislative Council of Natal on the subject of Langalibalele and his tribe has been laid before the Queen	45
39	To Lieutenant-Governor Sir H. Bulwer, K.C.M.G.	July 27, 1875	Acknowledging receipt of financial returns connected with the operations against Langalibalele, and requesting to be informed what course it is proposed to adopt in regard to the Amahlubi tribe	46
40	To the Officer Administering the Government, Natal	July 27, 1875	Stating that the Addresses inclosed in his despatch of the 16th ultimo have been laid before the Queen	46
41	Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.	June 16, 1875 (Rec. July 28)	Inclosing an Address to the Queen adopted by the Legislative Council of Natal respecting the suppression of the rebellion of Langalibalele and his tribe	46
42	To President Burgers ..	July 28, 1875	Transmitting copy of a message from King Cetywayo, together with a copy of Sir G. Wolseley's reply to it	51
43	To Lieutenant-Governor Sir H. Bulwer, K.C.M.G.	July 31, 1875	King Cetywayo's message and Sir G. Wolseley's reply to it	51
44	Mr. Burgers	Aug. 4, 1875	Acknowledging receipt of King Cetywayo's message, and stating that the Amazwasis tribe will be protected against his meditated attack	51

Natal.

No. 1.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received March 3.)

My Lord,

Government House, Natal, January 27, 1875.

IN accordance with the request of the Chairman of a public meeting held in this city on the 25th instant, I have the honour to forward to your Lordship certain resolutions passed at that meeting.

I have, &c.
(Signed) BENJ. C. C. PINE.

Inclosure in No. 1.

Resolutions passed at a Public Meeting held in Pietermaritzburg, on the 25th January, 1875.

1st. That, in the opinion of this meeting, the return of Langalibalele to Natal would lower the prestige of the Government, and would not only be attended with danger to the peace of the Colony, but would make more difficult the good government of the coloured races throughout South Africa, and that, therefore, every lawful means should be used to prevent his return.

2nd. That, in the opinion of this meeting, the thanks of the colonists are due to Sir B. C. C. Pine, for the prompt and vigorous suppression of the late rebellion.

3rd. That a copy of the foregoing resolutions be transmitted by the Chairman to the Lieutenant-Governor for his information, and that his Excellency be requested to send copies to the Right Honourable the Secretary of State for the Colonies, to his Excellency the High Commissioner at Cape Town, and to the Honourable Mr. Molteno, the Premier of the Cape Government; and that the thanks of this meeting, and of the Colonists generally, be expressed to the Cape Government, and to the inhabitants of that Colony generally, for the warm sympathy and invaluable assistance they have given to this Colony in its hour of need.

(Signed) JAMES W. WINTER, *Chairman.*

No. 2.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, March 5, 1875.

I HAVE to acknowledge the receipt of Sir Benjamin Pine's despatch of the 27th January,* forwarding copy of resolutions passed at a public meeting held at Pietermaritzburg on the 25th of that month.

I have, &c.
(Signed) CARNARVON.

No. 3.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

(No. 36.)

My Lord,

Government House, Natal, February 8, 1875.

REFERRING to paragraph 32 of despatch of the 3rd December last,* in which your Lordship called for a "strict and accurate statement of the moneys which have been paid into the Colonial Exchequer on account of the sale of cattle or other confiscated property" of the Amahlubi and Amangwe tribes, I have the honour to transmit the statement called for.

2. From this document your Lordship will perceive that the gross amount to the credit of the Langalibalele Expedition account up to 31st December last, was 26,612*l.* 15*s.* 1*d.*, of which sum 25,725*l.* 18*s.* 9*d.* was the amount realised by the sale of confiscated property.

3. To avoid misconception, I should mention that the Langalibalele Expedition account, debtor and creditor, contains a full statement of all expenditure and all receipts connected with the operations against Langalibalele and other natives towards the close of 1873. The return now forwarded contains full particulars of all amounts received and credited to the above-mentioned account.

I have, &c.

(Signed)

BENJ. C. C. PINE.

Inclosure in No. 3.

DETAILED RETURN of Receipts on account of Langalibalele Expedition, from December 1873, to December 1874, inclusive.

Date of Receipt.	From.	Item.	Seizures of Stock.				Value.	Confiscated Property.	Returned Stores.	Refunds.	Receipts, per Auditor's Books.
			Cattle.	Horses.	Sheep and Goats.	Hides.					
1873							£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Dec. 15	Control Department	Refund overcharge, <i>vide</i> query	..	..	..	..	..	..	..	40 0 0	1873. December . 5,040 0 0
27	J. D. Holliday	Account sales at auction ..	3,152	..	..	..	5,000 0 0	..	..	..
Feb. 18	Natal Bank ..	Ditto. Bills receivable, paid ..	..	..	..	..	229 13 0	..	..	..
19	..	..	..	..	..	..	200 17 0	..	..	..
20	J. D. Holliday	Ditto. Cash ..	..	..	..	..	2,272 3 7	..	..	..
Mar. 2	Natal Bank ..	Ditto. Bills paid ..	..	..	..	..	50 17 0	..	..	..
Feb. 21	Resident Magistrate, Weenen	Sale of grain in location ..	..	..	..	..	..	259 18 10	..	..	1874. January .. 5,665 14 2
Jan, 19	P. Hellet ..	Sale at Greytown ..	623	..	..	..	1,249 3 0	..	..	..
27	Resident Magistrate, Pietermaritzburg	From rations to prisoners ..	..	..	..	1	..	..	0 1 6	2 17 9	
23	H. Walton ..	Sale at Ladismith ..	{ 369	..	1,070	..	1,618 7 6	..	..	..
29	..	..	{ 142	..	..	..	523 0 10	..	..	5 1 4	
30	J. D. Holliday	Sale at Richmond ..	482	..	..	6	..	..	..	..
Feb. 7	Resident Magistrate, Pietermaritzburg	From rations to prisoners ..	..	..	..	..	..	..	..	..
11	H. Walton ..	Sale at Newcastle ..	369	..	..	3	572 16 0	..	..	2 3 4	February .. 3,497 16 4
14	Resident Magistrate, Pietermaritzburg	..	..	..	..	..	..	..	..	..
21	M. J. Cooke ..	{ Sale, 12 bags barley meal; 2 salt; 7 sugar; 5 rice; 7 meal	..	..	..	..	..	..	68 18 0	..	
Mar. 7	H. Walton ..	Sale at Ladismith ..	634	146	446	3,119	2,164 12 9	..	..	0 1 0	
23	Overpayment ..	Refund ..	..	..	..	..	..	2 10 0	..	1 9 6	
25	Resident Magistrate, Weenen	10 muids grain ..	..	..	..	2	..	..	..	2 0 0	
Mar. 4	Resident Magistrate, Pietermaritzburg	From rations to prisoners ..	..	..	..	..	..	..	..	1 9 0	
7	Commander, Volunteers	Advance to Stanley ..	..	..	..	2	..	..	..	..
13	Resident Magistrate, Pietermaritzburg	From rations to prisoners ..	..	..	..	3	..	..	13 19 4	..	March .. 80 8 9
14	Captain Barter	Cost, rations supplied ..	..	..	..	..	..	..	..	..
21	Resident Magistrate, Pietermaritzburg	Rations to prisoners ..	..	..	..	..	..	445 5 5	..	7 14 5	
April 4	Resident Magistrate, Weenen	Grain and stores ..	..	..	..	..	..	..	..	..
8	Lieutenant-Governor ..	Refund, overpayment ..	..	..	1,755	..	427 19 10	..	69 10 0	..	
14	J. D. Holliday	Account former sales (bills) ..	..	..	..	..	202 0 0	..	..	..
17	Ditto	Hides from rations ..	..	..	..	..	..	..	..	11 7 7	April .. 1,163 17 3
May 1	Border Agent ..	Sale, hides ..	..	..	..	..	..	72 0 0	..	..
6	Resident Magistrate, Weenen	Sale, grain ..	..	..	..	..	..	42 10 0	..	..
1	A. B. Allison ..	Cash taken from rebels ..	..	..	..	..	..	16 5 0	..	..
7	A. C. Gen ..	Refund overcharge, cartridges ..	..	..	..	..	..	..	26 5 0	..	

Detailed Return of Receipts on account of Langalibalele Expedition—continued.

Date of Receipt.	From.	Item.	Seizures of Stock.				Value. £ s. d.	Confiscated Property. £ s. d.	Returned Stores. £ s. d.	Refunds. £ s. d.	Receipts, per Auditor's Books. £ s. d.
			Cattle.	Horses.	Sheep and Goats.	Hides.					
May 8	H. Walton ..	Sale, cattle and horses ..	..	..	..	..	..	1,397 4 6	..	..	1874. May .. 1,554 11 7
9	Resident Magistrate, Pietermaritzburg ..	Sale, hides ..	..	..	..	..	..	..	..	0 7 1	..
June 3	Resident Magistrate, Weenen ..	Sales, grain ..	..	..	..	..	58 11 11	..	..	..	..
16	T. Shepstone ..	Refund, ration expenses ..	..	..	..	..	..	633 1 3	..	2 6 11	..
17	J. D. Holliday ..	Bills matured, account sales ..	..	..	..	..	..	508 15 0	..	..	..
19	Ditto ..	.. ..	..	..	..	..	..	431 1 6	..	..	..
24	Ditto ..	.. ..	..	..	..	..	..	5,550 14 5	..	..	..
12	Ditto ..	Sale, horses and cattle ..	..	..	..	..	..	520 11 7	..	..	..
16	Ditto ..	.. ..	..	..	..	..	..	..	..	26 15 9	..
20	W. Shepstone ..	Refund, overpay ..	..	..	..	..	..	..	..	1 2 0	..
20	Resident Magistrate, Pietermaritzburg ..	Sale, hides, from rations ..	..	..	..	..	..	..	..	..	..
July 30	Resident Magistrate, Klip River ..	Sale, corn, 11. 19s. 10d.; lead, 111. 3s. 7d.	..	..	..	..	..	1 19 10	11 3 7	..	June .. 7,745 3 9
18	A. C. Gem ..	Refund, overpayment account ..	..	..	..	..	..	..	..	4 5 6	July .. 4 5 6
Aug. 3	8 overcharges ..	Refunded ..	..	..	..	..	..	..	..	1 17 11	..
16	Bills ..	Account sales, stock ..	..	..	..	..	..	229 5 0	..	..	..
16	Ditto ..	Ditto ..	..	..	..	..	..	327 16 6	..	..	..
21	Ditto ..	Ditto ..	..	..	..	..	..	222 5 6	..	..	..
22	Ditto ..	Ditto ..	..	..	..	..	..	256 14 0	..	..	..
21	Civil Engineer ..	Stores purchased ..	..	..	..	..	..	..	78 7 6	..	August .. 1,120 7 9
22	Resident Magistrate, Pietermaritzburg ..	Sale, hides, from rations ..	..	..	..	..	..	..	..	4 3 4	..
Sept. 16	Civil Engineer ..	Stores ..	..	..	..	..	..	..	494 0 0	..	September .. 660 0 0
26	Border Agent ..	Hides ..	..	..	..	..	..	166 0 0	..	..	November .. 72 0 0
Nov. 4	Ditto ..	Cash, &c., found on rebels ..	..	..	..	..	..	72 0 0	..	..	December .. 7 10 0
Dec. 2	Resident Magistrate, Weenen ..	Refund, overpayment ..	..	..	..	..	..	..	..	7 10 0	..
							14,511 10 6	25,725 18 9	735 19 11	150 16 5	26,612 15 1

January 28, 1875.

Compared with the Auditor's book, and found correct.
(Signed) GEO. READ, Auditor.

No. 4.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

My Lord,

Government House, Natal, February 22, 1875.

THE delay in furnishing the information called for by your Lordship's despatch of the 19th October, 1874,* has not been due to any unwillingness to give the particulars asked for, but to a difficulty in giving them so accurately as was necessary.

2. I inclose a copy of the Rules and Regulations contemplated by Section 3 of Law 18 of 1874, and promulgated on the 10th April, 1874.

3. In the case of the prisoners of the Amahlubi tribe, who were released from prison conditionally in the month of October last, it was desirable that arrangements should be made for settling them, and providing for their support at as early a date as possible, and accordingly certain conditions on which these men and their families were to be assigned, or allowed to settle on the farms of such Europeans as they might select, were drawn up. I inclose a list, giving particulars as to the numbers so disposed of. It is the compilation of this return which has occasioned the delay above referred to.

4. I also inclose a copy of a Proclamation issued on the 18th instant, by which all such assignments have been cancelled, but the Amahlubi will not be allowed again to collect together as a tribe.

5. There are many weighty reasons which have for a long time rendered the enactment of a law of this kind desirable, and I trust it may receive the Royal assent.

I have, &c.

(Signed) BENJ. C. C. PINE.

Inclosure 1 in No. 4.

Government Notice No. 117, 1874.

WHEREAS by Law No. 18, 1874, entitled "To make Special Provision with regard to the Employment of Convicts," it is enacted that the Lieutenant-Governor in Executive Council may from time to time frame rules, orders and regulations for carrying out said Law:

Now, therefore, the Lieutenant-Governor in Executive Council, in pursuance of the powers in the said recited Law contained, and of all other powers enabling in that behalf, doth hereby order and direct as follows:—

1. Every native convict who shall, in terms of the 1st section of the said recited Law, be assigned as a servant to any European employer in this Colony, shall be entitled to liberty from the employer for the residence of his wife or wives and children on the place or farm on which the services of such native convict are to be rendered; and at the termination of such period of assignment, every such convict may be remitted back to prison to undergo the unexpired period of his sentence, or may be again assigned out to service for said period.

2. The employer shall be bound to provide the said convict, together with his wife or wives and children, with good and wholesome food, and to erect on his land the ordinary huts used by the natives for lodging.

3. The employer shall be entitled to the services of the said convict at all reasonable times, and also to the services as domestic servants of any unmarried female belonging to the family of the said convict above the age of ten years, and to the reasonable services of any male belonging to such family above the age of twelve years, at such rate of wages as shall in each case be fixed by the magistrate, taking into account the obligations of the employer.

4. The employer shall not be entitled to the services of any female belonging to the family of the convict after her marriage, nor to the services of any male belonging to such family not residing with such convict on such land or farm.

5. Any male, not being himself a convict, and being over the age of eighteen years, belonging to the family of the convict, and who may be residing with the family of the convict so assigned on the land of the employer, may at any time leave such family and employer, and enter the service of any other person he may prefer;

* No. 18 of C. 1121 of 1875.

but he shall not be at liberty to do so until the period has expired for which the convict has been assigned, if the employer is willing and ready to employ and pay him the current rate of wages.

6. The family of any such convict shall not be bound to live on the place or farm of the employer, but may reside on any other place or farm approved of by the magistrate having jurisdiction in each case: Provided, however, that in every such case of non-residence on the employer's land, the employer shall not be bound to find or to provide them either with food or lodging.

7. Every convict assigned under the said recited Law shall, upon such assignment, be registered by the magistrate of the county in which he is to be employed; and the register shall contain the name and description of the convict, his term of service, and the names and apparent ages of his wife or wives and children.

8. The magistrate shall stipulate with the employer the amount of wages per month payable for the services of such convict, and shall insert the same in the register hereinbefore required to be made.

9. The wages to be paid by the employer in respect of the services of any such convict shall be paid monthly to the resident magistrate of the county in which the employer shall reside, or to the visiting magistrate, and shall by such magistrate be accounted for and be paid to the Colonial Treasury, precisely as any other public revenue received by such magistrate: Provided, however, that the Lieutenant-Governor may, by instructions to the magistrate whenever he shall think fit, direct that the wages aforesaid of any convict or class of convicts shall be paid monthly by the magistrate, in whole or in part, to the convict himself, instead of to the Treasury.

10. In the event of the non-payment by the employer of such stipulated wages, then, after the expiration of one month after written demand for such wages in arrear, the magistrate may, without further process, issue the usual writ to levy the amount due by execution and sale of the goods and chattels of the employer.

11. If any employer shall feel himself aggrieved by reason of the magistrate having so seized in execution and sold his goods and chattels, he may, within six days after such execution and sale, note an appeal to the Judicial Assessor, whose decision on appeal shall be final.

12. All moneys in respect of wages for the services of convicts assigned under the said recited Law, except such as are specially excepted at the end of Rule 9, shall be paid into the Colonial Treasury, to the credit of an account to be called "The Convict Relief Fund."

13. The Lieutenant-Governor may from time to time, as he may think fit, by warrant under his hand, draw upon such fund for the purpose of relieving from want or rewarding for good conduct any individual native convict, or for the purpose of enabling any native convict on the expiration of the period of imprisonment to acquire the means of re-establishing himself in the Colony: Provided that in no case shall the amount so granted for relief, reward, or otherwise, exceed the aggregate amount of wages earned by the said convict during his imprisonment.

14. Every native convict assigned under the said recited Law who shall be found at large on lands not belonging to his employer, or on any road, without a ticket-of-leave from his employer, may be arrested by any householder, and forwarded to the nearest resident magistrate, to be dealt with according to law.

15. Every law applicable to convicts confined or employed in any jail in the Colony shall, subject to the provisions of these Regulations, be applicable to convicts assigned under the above-recited Law, anything herein contained notwithstanding.

16. The employer shall be bound to grant any convict a ticket-of-leave for the purpose of lodging any complaint to the magistrate against such employer: Provided that if and when it shall appear that the representation or pretence upon which such ticket shall have been obtained is false or frivolous, such native convict shall be liable to have his term of service extended for such period not exceeding one month for every such offence, as to the magistrate or visiting magistrate shall seem fit.

17. Any employer refusing such ticket for such purpose shall, on conviction, be liable to a fine not exceeding 10%.

18. The Lieutenant-Governor may at any time cancel any assignment of the services of any convict under the above-recited Law, or direct any convict to be sent to any jail, there to undergo his sentence, or any unexpired period thereof, instead of remaining assigned under said Law.

19. Any injury or assault upon the person of any convict by his employer or other person shall be dealt with and punished in the ordinary course of law.

20. In the event of the death of any employer before the expiration of the period of imprisonment imposed upon any such convict, then the Lieu enant-Governor may reassign such convict to some other person, and the provisions of these regulations shall apply to such reassignment.

21. In the event of the death of the convict before the expiration of his period of imprisonment, the employer shall be bound to supply his wife or wives with the necessary food for one month after the death of such convict.

22. No convict assigned under the above-recited Law shall be removed beyond the limits of the Colony.

23. No employer shall have the power to sub-assign the services of any convict under said recited Law, or under these Regulations, to any third person, without the permission in writing of the resident magistrate of the county in which he shall reside.

(Signed)

D. ERSKINE, *Colonial Secretary.*

Colonial Office, Natal, April 10, 1874.

Inclosure 2 in No. 4.

MEMBERS of the late Amahlubi tribe are to be allotted upon the following conditions :—

1. Employers to provide every member of families allotted with sufficient food and clothing, and continue to do so until they are in a condition to support themselves from their crops.

They must locate them in kraals, and provide sufficient land contiguous for cultivation and grazing.

2. In consideration of the time allotted families will require for building huts and planting their crops, whilst being fed at the expense of their employers, working members of such families will not be entitled to receive any pay until the 1st day of March, 1875.

Working members of these families will be paid at the current rate of wages, according to the merits of each individual case.

3. This rate to be decided by the magistrate, or such person appointed by the Lieutenant-Governor, in cases when the master and servant cannot satisfactorily arrange this.

4. The magistrate shall have the power to remove any families who have not been provided with sufficient food or clothing, or have been subject to any other mal-treatment.

5. That this allotment be for a period not less than three years; but at the end of that time no members of any allotted family are to move without first obtaining the permission of the resident magistrate, or such other officer as the Lieutenant-Governor may appoint.

6. Marriages, deaths, or any other important changes to be reported without delay to the Secretary for Native Affairs.

Inclosure 3 in No. 4.

RETURN of the members of the Amahlubi tribe allotted or assigned for three years to farmers and others under the terms set forth in the printed paper annexed, all of which are, however, determined and put an end to by the Lieutenant-Governor's Proclamation of the 18th instant.

	Number of People to whom Allotments were made.	Number of Men and Boys Allotted.	Number of Women and Children Allotted.	Total.
Maritzburg County ..	15	149	204	353
Weenen County ..	9	74	105	179
				532

(Signed)

ARTHUR J. SHEPSTONE.

Inclosure 4 in No. 4.

Proclamation.

By his Excellency Sir Benjamin Chilley Campbell Pine, Knight, Commander of the Most Distinguished Order of St. Michael and St. George, Lieutenant-Governor in and over the Colony of Natal, and Vice-Admiral of the same, and Supreme Chief over the native population.

WHEREAS I did on the 15th of October, 1874, authorise the remission of the sentences passed on all the prisoners of the Amahlubi tribe, then in this Colony, except Mboobo, *alias* Sibanyana, Nomleti, Tshiyaguqa, and Mzingulu, and their release from imprisonment, on condition that they lived with their families with farmers or others not residing in towns, and who might be able and willing to take and comfortably provide for whole families, on such terms and under such stipulations as appeared to me to be both equitable and necessary, and the remissions were accepted by the prisoners on the terms and conditions laid down:

And whereas Her Majesty's Government have signified their disapproval of the assignment to private persons of these prisoners and of other members of the late Amahlubi or Amangwe tribes:

And whereas I have therefore cancelled the condition upon which the remissions aforesaid were granted:

Now, therefore, I do proclaim and make known that all such assignments of said prisoners, or assignments of any kind of members of the late Amahlubi or Amangwe tribes, which were caused by, or arose out of, the late Langalibalele disturbance, shall cease and determine, and are hereby declared to have ceased and determined; and I further make known that hereafter the services of these people can be retained only by agreements voluntarily entered into by them, or by the renewal of those already subsisting, and that all restrictions specially placed upon these people, in consequence of their conduct as a tribe, to which other native subjects of this Government are not liable, are hereby removed.

Provided, however, that the members of the late Amahlubi tribe shall not be allowed to collect and form themselves into a separate and distinct tribe in any part of this Colony.

And I hereby require all magistrates and Administrators of native law to guide themselves by the terms of this Proclamation.

God save the Queen!

Given at Durban this 18th day of February, 1875.

By his Excellency's command,
(Signed) T. SHEPSTONE,
Secretary of Native Affairs.

No. 5.

Lieutenant-Governor Sir B. C. Pine, K.C.M.G., to the Earl of Carnarvon.—(Received April 2.)

My Lord,

Government House, Natal, February 24, 1875.

WITH reference to my despatch of the 31st December last,* on the subject of the charges brought by the Bishop of Natal against Mr. John Shepstone, I have to state that I induced Mr. Shepstone to abandon his action, and leave his case in your Lordship's hands, in the full reliance that the Bishop would retract his charges.

2. I find, however, that, instead of doing this, the Bishop has substantially reiterated the charges in the printed book which your Lordship has sent to me, and by subsequently publishing this book in England, he has, under the protection which Mr. Shepstone's withdrawal seemed to secure to him, given them a greater publicity, and inflicted a still deeper injury on Mr. Shepstone's reputation. I am sure that I need only bring this matter to your Lordship's notice to insure justice being done to Mr. John Shepstone.

3. The case stands thus:—The Bishop of Natal made a very serious charge

* No. 3 of C. 1187 of 1875.

against Mr. John Shepstone, which, if substantiated, would have ruined his character. Mr. John Shepstone called upon the Bishop to retract his charge. Instead of doing this, or offering to support the charge in a Court of Law, the Bishop applied to the Lieutenant-Governor to have a subject which occurred sixteen years ago investigated before the Executive Council. On the refusal of the Lieutenant-Governor to deal thus with a matter properly referred to a Court of Law, the Bishop invoked, as I understand, the interference of the Secretary of State. At your Lordship's request I induced Mr. John Shepstone to withdraw his action, and leave the decision of the matter in your Lordship's hands.

4. Having thus obtained immunity from legal proceedings, the Bishop, in a book sent to me by your Lordship, and printed in London for your Lordship's information, removed the restriction to publication under which it was printed, and by putting it into circulation in England, reiterates the odious charge in the ears of the whole English public, in a way calculated to cause irretrievable damage to Mr. John Shepstone's character, because so timed as to preclude the possibility of Mr. Shepstone's saying a word in his defence.

5. Mr. John Shepstone does not want damages, but simply that his character may be cleared of a charge which an examination before a Court of Law would prove utterly groundless.

I have, &c.
(Signed) BENJ. C. C. PINE.

No. 6.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 5, 1875.

IN the third paragraph of Sir Benjamin Pine's despatch of the 8th February,* reference is made to the "Langalibalele Expedition Debtor and Creditor Account," as containing a full statement of all expenditure and all receipts connected with the operations against Langalibalele and other natives towards the close of 1873.

I request that you will furnish me with a copy of this account.

I am, &c.
(Signed) CARNARVON.

No. 7.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 22, 1875.

I HAVE received Sir B. Pine's despatch of the 24th of February,† on the subject of the charges brought by the Bishop of Natal against Mr. John Shepstone, with respect to the Chief Matyana.

Without entering upon the question whether the Bishop, in publishing his book in this country, reiterated his charges against Mr. Shepstone after the withdrawal of the latter from legal proceedings, I think it due to Mr. Shepstone, as he withdrew his action against the Bishop at my request, and left the decision upon the matter in my hands, to act upon the understanding conveyed in my despatch of the 19th of November, by pronouncing my own decision when the whole case shall have been laid before me.

With this view, it becomes necessary that a careful inquiry should be made into the charges preferred by the Bishop against Mr. Shepstone, with reference to his conduct in attempting the arrest of Matyana in 1858; and I think that, under all the circumstances, this inquiry might be best conducted by one or more of the senior officers of your staff who accompanied you on special service to Natal.

I have, &c.
(Signed) CARNARVON.

Colonial Office to W. Shaen, Esq.

Sir,

Downing Street, April 29, 1875.

WITH reference to the letter which was addressed to you from this Department on the 20th October last,* on the subject of the Law of the Legislature of Natal, No. 18 of 1874, relating to the employment of convicts, I am directed by the Earl of Carnarvon to inform you that a despatch has been received from Sir Benjamin Pine in which he furnishes certain information which his Lordship has called for respecting this Law.

After fully considering the question, Lord Carnarvon has come to the conclusion that Her Majesty must be advised to disallow the Law, and has informed Sir Garnet Wolseley of its disallowance.

I am, &c.

(Signed)

ROBERT G. W. HERBERT.

No. 9.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, April 29, 1875.

I HAVE received Sir Benjamin Pine's despatch of the 22nd February,† furnishing the information with which I requested to be supplied in my despatches of the 12th June and 19th October last, on the subject of the Law of the Legislature of Natal, No. 18 of 1874, "To make special provision with regard to the employment of Convicts."

2. I am unable to concur with Sir Benjamin Pine in the reasons which he assigns in favour of confirming this Law.

3. On a sudden emergency, such as lately arose, where it was imperatively necessary to make instant provision for feeding a large number of prisoners, and the resources of the Government were inadequate for the purpose of lodging and keeping them, such a course as assigning natives for a short period to those who would provide properly for them, might be defensible as a temporary measure resorted to under pressure; but to take a general power of assigning convicts as private servants, would open a door to many objectionable practices, owing, among many other causes, to the impossibility of properly supervising either the employers or the employed.

4. There is only one mode of which I am aware in which convicts can be properly employed as labourers, that is to say, upon public works, under an efficient system of supervision by Government officers.

5. I have therefore felt it right to advise Her Majesty to disallow this Law. Her Majesty has been pleased to approve the advice which I have tendered to her, and to signify her disallowance of the Law, and it is disallowed accordingly.

6. You will make known Her Majesty's pleasure in the usual manner.

I have, &c.

(Signed)

CARNARVON.

No. 10.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received May 7.)*

My Lord,

Government House, Natal, April 3, 1875.

I HAVE the honour to inform your Lordship that, having left Cape Town on the 24th ultimo, in Her Majesty's ship "Raleigh," I arrived off Port Natal on the evening of the 29th ultimo, and landed at Durban on the 30th.

2. After remaining two days at Durban, I left for Pietermaritzburg on the 1st instant, on which day I took the oaths as Administrator of the Government.

3. I yesterday held a meeting of the Executive Council, and laid before them the instructions contained in your Lordship's despatch of the 18th February.‡

* No. 19 of C. 1121 of 1875.

† No. 4.

‡ No. 7 of C. 1187 of 1875.

These instructions will be published in the Government "Gazette" on the 6th instant, for which day I have summoned the Executive Council to meet for the transaction of business.

4. The Legislative Council stands prorogued by Sir Benjamin Pine till the 15th instant, but was not then to meet for business. In the "Gazette" to be published on Tuesday next, I shall summon them to meet for business on the 5th proximo.

I have, &c.
(Signed) G. J. WOLSELEY.

No. 11.

The Aborigines Protection Society to the Earl of Carnarvon.

*Canada Government Buildings, King Street, Westminster,
May 8, 1875.*

My Lord,

I AM directed by the Committee of the Aborigines Protection Society to address your Lordship on two or three points mainly connected with the instructions which you addressed to Sir Garnet Wolseley, Lieutenant-Governor of Natal, on 18th February last. I need hardly say that, as the Committee includes several gentlemen who have had the honour to serve the Crown in distant parts of the Empire, they have a strong sense of the difficulties which must necessarily attend any considerable change of policy, especially in the case of Natal, where the Kaffirs so largely out-number the Colonists, and where also the system of native administration established by Mr. Shepstone has existed for so long a period as to become interwoven with the habits and feelings of the native population.

The following are the suggestions to which the Committee are anxious respectfully to direct your Lordship's attention:—

1. They venture to think that the Supreme Court of the Colony should, so to speak, be the head of the native law, so that the natives generally may be secured the right of *habeas corpus* and trial by jury. They are anxious that the administration of the law should, as far as possible, be entirely free from political bias or the influence of popular feeling.

2. The Committee also suggest that the Civil and Military Departments should be kept wholly distinct from one another. They regard with apprehension the prospect of the Magistrates and the police being called upon to discharge functions which even in the experience of the civilized States cannot with safety be entrusted to the same persons.

3. It is unnecessary to point out to your Lordship that every well directed effort which has been made to civilize the native inhabitants of South Africa has met with encouraging success. The Fingoes, the Basutos, and other tribes are examples of the capacity of these people for civilization, and of the readiness with which they respond to influences of a moral and educational character. The Committee believe that if, concurrently with the steps for the gradual abolition of the tribal system which your Lordship has wisely decided to take, a sufficient number of elementary and industrial schools are established in the native districts, the result, besides advancing the lasting interests of civilization, will greatly tend to promote the security of the Colony. Their views on this subject have been materially strengthened by what, from time to time, has been told to them by the French Missionaries in Basutoland, who, by systematically instructing their flocks in the arts of civilized life, have converted a barbarous tribe into an industrious and orderly population. We believe that the Kaffirs in Natal contribute directly a sum of 25,000*l.* per annum to the Colonial Exchequer. We are informed that they pay their taxes willingly, and that the amount collected from them represents their full share of the local burthens of taxation. The Committee respectfully suggest that some portion of this money might, in a rational spirit of economy, and with the greatest advantage to the Colony itself, be appropriated to purposes of education; and they venture to ask that your Lordship, with that beneficent regard for the well being of native races which has been a noble characteristic of your administration, will request his Excellency Sir Garnet Wolseley to inquire into this subject.

4. As President Burgers of the Transvaal Republic has now arrived in this country, I am desired to express a hope that your Lordship will impress upon him

the desirability of his Government loyally giving effect to clause 4 of the Convention of 1852:—"It is agreed that no slavery is or shall be permitted or practised in the country north of the Vaal River by the emigrant farmers." A Blue Book published by one of your Lordship's predecessors three or four years ago contains ample and painful evidence not only of the existence of slavery in the Transvaal territory, but also of the prosecution of wars against the natives for the purpose of enslaving the captives, chiefly women and children; and we learn from a recent despatch of Sir Henry Barkly, as well from independent sources, that these practices, although perhaps not indulged in to the same extent as formerly, are still continued. The fact that during the last twelve months large quantities of ammunition have been introduced into the Republic by way of Delagoa Bay has excited a painful impression in various quarters, and we have been repeatedly requested to communicate with your Lordship on this matter. We have, however, abstained from doing so until a favourable opportunity presented itself, but now that President Burgers has reached England, and will shortly, no doubt, be in personal communication with your Lordship, there is no longer cause for silence. I may add that in calling your Lordship's attention to the subject, the Committee are anxious to treat President Burgers, personally, with every courtesy and forbearance.

I have, &c.
(Signed) F. W. CHESSON, *Secretary.*

No. 12.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received May 12.)*

My Lord,

Government House, Natal, April 8, 1875.

SIR BENJAMIN PINE having left the Colony, I have the honour to forward your Lordship, at the request of seventy inhabitants of Pine Town, the inclosed address to him.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 12.

Extra to the "Natal Mercury."

THE following is the draft of the Address submitted at a public meeting:—

"To his Excellency Sir Benjamin Chilley Campbell Pine, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor in and over the Colony of Natal, Vice-Admiral of the same, and Supreme Chief over the Native Population.

"Your Excellency,

"On the eve of your departure from this Colony, it is our pleasure, and not less our duty, to convey to your Excellency some expression of our appreciation of the important services you have rendered to Natal in her recent troubles, and of our sympathy with you in the position in which you have thereby been placed.

"Shortly after your arrival you were called upon to take measures to check the growing insubordination of a Kafir Chief, which, if longer neglected, would have led to the most serious consequences, he already exercising a dangerous and pernicious influence over adjacent as well as other tribes. In carrying out the necessary measures which were prompted by every feeling of humanity, you sought to spare as much as possible the misguided rebels from the consequences of their disloyalty. They met this by the commencement of hostilities, and having murdered three of our volunteers and two loyal natives, they mutilated their bodies, showing the Kafir character to be in every respect the same as throughout all the Cape wars.

"The country was in great danger, and less vigorous action would have brought ruin and desolation on the towns and villages, surrounded as they are by

locations, in which for years the Kafirs have been allowed indulgence in all their barbarous habits. You fully realized the crisis, and by the pursuit, capture, and subsequent banishment of the Kafir Chief, you were the means, under Providence, of preserving the peace of the Colony, and of averting a general Kafir war. We maintain that the danger was imminent, the position critical both to ourselves and the neighbouring Colonies, and we are prepared to share with you all responsibility.

"We deplore the sacrifice of life, both on our side and that of the rebels, but when the commencement of former Kafir wars is remembered with the loss entailed by them on the mother country in blood and treasure, we cannot but believe that the ultimate verdict will be, that at the smallest possible expenditure of life such a calamity has been averted in this Colony.

"We claim to understand, better than those at a distance, our position here; and although, as Colonists, we do not undervalue the criticisms of our fellow countrymen, we indignantly repel the reckless charges made against us of needless severity and groundless alarm.

"We trust that this expression of feeling and regard may not be unwelcome to your Excellency, and that it may serve to assure you that you have won the gratitude of those who know best what you had to endure, and the difficulties with which you have had to contend.

"We only hope that in your successor we may find one equally devoted to our interests, and that you may long live to enjoy the satisfaction of knowing that in the performance of your duty you successfully maintained the peace of the Colony, and we feel that in you Natal loses a true friend, a fearless and patriotic Governor.

"With every good wish for your Excellency's future welfare and happiness, we remain, &c.

"Natal, January 22, 1875."

No. 13.

The Peace Society to Colonial Office.

*Peace Society, 18, South Street, Finsbury,
May 21, 1875.*

My Lord,

AT the annual meeting of the Peace Society held on the 18th a Resolution was passed, expressing cordial satisfaction with the course pursued by your Lordship in regard to the unhappy events which have recently occurred at Natal.

In accordance with the unanimous wishes of the meeting, I have the honour to transmit to your Lordship the inclosed copy of that Resolution.

I have, &c.

(Signed) HENRY RICHARD.

Inclosure in No. 13.

AT the annual meeting of the Peace Society, held at Finsbury Chapel, Moorfields, on Tuesday, May 18, 1875, the following Resolution was unanimously adopted, viz. :—

"That this meeting desires to express its cordial satisfaction with the course pursued by Lord Carnarvon in regard to the unhappy events in the Colony of Natal, and cannot doubt that this policy of strict justice in dealing with the aboriginal tribes with whom we are so much in contact in all parts of the globe, will be attended with the happiest results, and that Mr. Henry Richard, M.P., be requested to convey to his Lordship a copy of this Resolution."

No. 14.

Colonial Office to the Secretary to the Aborigines Protection Society.

Sir,

Downing Street, May 24, 1875.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 8th instant.*

His Lordship desires me to state that the suggestions of the Aborigines Protection Society appear to be in a great measure in accordance with the views which he has formed and expressed as to the general policy to be observed in dealing with the natives in Natal. The fact must, however, not be lost sight of that there are in many cases difficulties arising out of the constitution and circumstances of the Colony in the way of effecting objects which in themselves are desirable

With respect to the remark contained in the 2nd paragraph of your letter, I am to inform you that Lord Carnarvon fully proposes that the duties to be entrusted to the police shall not exceed such as may legitimately be performed by them.

I am, &c.
(Signed) J. PAUNCEFOTE.

No. 15.

Colonial Office to W. Richard, Esq., M.P.

Sir,

Downing Street, May 31, 1875.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of 21st instant,* inclosing a Resolution of the Peace Society, in which they express their approval of the course pursued by his Lordship in regard to recent events in Natal.

Lord Carnarvon desires me to state that he is glad to know that the course pursued commends itself to the Society.

I am, &c.
(Signed) W. R. MALCOLM.

No. 16.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)*

My Lord,

Government House, Natal, April 26, 1875.

SIR BENJAMIN PINE having left the Colony, I have the honour, at the request of Mr. W. MacFarlane, the Member for Weenen county, to forward to your Lordship the inclosed letter, and an address from the inhabitants of Weenen county which is annexed thereto.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 16.

My Lord,

Lochsloy, Natal, April 21, 1875.

I HAVE the honour to transmit, as requested by resolution passed at a meeting of the inhabitants of the county of Weenen, forwarded to me by the Chairman of that meeting, as per letter herewith inclosed, an address signed by the inhabitants to Sir B. C. C. Pine, K.C.M.G., with reference to his recall from the Government of this Colony, and to request that you will cause the same to be presented to our late Governor.

2. The facts therein stated may be of importance to your Lordship as enabling you more clearly to understand the true character of the revolt of Langalibalele and his tribe, and their treasonable communications with other tribes for the purpose of inducing them to join him in resisting this Government.

3. The people of this county embrace this opportunity to express their deep and sincere sympathy with your Lordship on the sad bereavement which has recently befallen you and your house.

I have, &c.
(Signed) WALTER MACFARLANE,
Member for the County of Weenen.

The Right Honourable the Earl of Carnarvon,
Her Majesty's Secretary of State for the Colonies.

Inclosure 2 in No. 16.

My dear Mr. Speaker,

Fernhurst, April 12, 1875.

IN accordance with resolution passed at the public meeting of the inhabitants of this county, held at Estcourt last month, to address Sir B. C. C. Pine on his recall from the Government of this Colony, I now inclose the address, signed by the inhabitants, and request that you will transmit the same to the Right Honourable the Secretary of State for the Colonies, for presentation at home to our late Governor.

2. I have also to bring to your notice, with reference to paragraph marked No. 6, that through some omission one important fact is not set down, viz., that the approaches to the caves, in the fastnesses therein referred to as stored with grain, were also fortified by the erection of strong stone walls in front.

I am, &c.

(Signed)

ROBT. MELLERSH,

Chairman,

To the Honourable the Speaker, Walter Mac Farlane, Esq.,
Member for the County of Weenen.

No. 17.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)

My Lord,

Government House, Natal, April 26, 1875.

I HAVE the honour to inform your Lordship that, having received instructions from His Royal Highness the Field Marshal Commanding in Chief, dated 3rd March, to bring Lieutenant Clarke, R.A., to trial by general court martial, I caused him to be suspended from his duties as Resident Magistrate, Umgeni division, on the 14th instant, and directed him to report himself to the Senior Officer, R.A., placing him in open arrest.

2. He is still drawing the full pay of his appointment, the duties of which are being performed by Mr. Bird, Resident Magistrate, city division, whose expenses in connection with collection of hut tax will be drawn from Lieutenant Clarke's salary.

I have, &c.

(Signed)

G. J. WOLSELEY.

No. 18.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 5.)

My Lord,

Government House, Natal, May 1, 1875.

I HAVE the honour to transmit to your Lordship copies of the following documents:—

1. Recommendations by the Secretary for Native Affairs for the future management of the location under the Draakenberg lately occupied by the Amahlubi tribe.

2. My own Minute on the above recommendations.

2. These documents will inform your Lordship of the steps which I have taken in reference to the reoccupation of the location formerly inhabited by Langalibalele and a portion of the tribe of Putili.

I have, &c.

(Signed)

G. J. WOLSELEY.

Inclosure 1 in No. 18.

Recommendations for the future Management of the Location under the Draakenberg, lately occupied by the Amahlubi Tribe.

A PORTION of this land was, before the late disturbance, occupied by some of Putili's people, the remainder of the tribe having lived on private farms, by

arrangement with the owners; therefore, for all practical purposes, the location may be considered as one.

The location near the Draakenberg range consists of a series of gorges, with narrow alluvial valleys capable of being cultivated; the separating [ridges are in almost all cases high, abrupt, and very rugged, but afford good pasturage for six or eight months of the year; lower down, the location is more undulating, and capable of supporting a larger population.

I recommend that no hereditary Chief be allowed to occupy any of the upper portion at least, where he has a comparatively secure retreat in the Draakenberg; that this location be subdivided, and given in charge of Headmen who owe their elevation to the Government, and belong to different tribes by descent, and that they be authorized to allow the settling under them of such of the native population in the Colony as may be personally approved of by the Government, under the usual process necessary for obtaining permission to remove from one part of the Colony to the other; but that as the Amahlubi tribe will be all anxious to occupy their old lands, and it will be difficult to entirely prevent them, care should be taken that they do not form a majority of the inhabitants in any portion of it, but especially in the gorges, which should be held by natives of whose loyalty there can be no question, and which will be secured by the fact that they will be under the control of Headmen naturally jealous of each other, and in daily communication with the white Superintendent.

This functionary should reside at some spot in the location selected with a view to its being readily accessible to all; the Headmen should immediately report to him all that takes place in their respective jurisdictions, as they would to a superior native Chief, so that the Superintendent would always know what is going on in different parts of the location. He should also consider it an important part of his duty to develop industrial occupation among the natives themselves, such as improved dwellings and cultivation, or the production of whatever the speciality of the location may suggest, and to induce unemployed young natives to seek work among the colonists, than which there cannot be a better means of civilization. He should represent the authority of the Government in the location, and might with advantage collect the taxes; he should decide all cases of appeal against the decisions given by the Headmen, and possess original jurisdiction, where the parties prefer appealing to his decision in the first instance; there should, however, be an appeal from his decision to the Magistrate of the county or division, and from him to the Secretary for Native Affairs, as at present. He should also institute and keep up a complete registration of the population under his charge, distinguishing sex and age, tribe in which born, and as many particulars as may be procurable. This is but the mere outline of what must be filled in by degrees, as opportunities arise and necessity demands.

The staff need at first be but small. The Superintendent should, I think, be allowed four native messengers to act as police, but should certainly live within the limits of the location.

He is appointed under Law 2, 1873; but I see nothing in that enactment in conflict with the above recommendations.

(Signed)

T. SHEPSTONE,
Secretary for Native Affairs.

*Office of Secretary for Native Affairs,
April 9, 1875.*

Inclosure 2 in No. 18.

Minute.

I FULLY concur in the general principles laid down in this Minute, and desire that the white Superintendent, now stationed in the county of Weenen, may be at once moved into a central position in the location.

Every care should be taken to prevent the Langalibalele tribe, or any large portion of them, again settling down as a body in any one locality under an hereditary Chief.

People belonging to other tribes should be, as far as possible, settled in the upper portions of the location, under Headmen or petty Chiefs to be appointed by me, upon the advice of the Secretary for Native Affairs.

This does not of course apply to the portions of the location formerly occupied by the Putini tribe, which are in all cases to be restored to the original proprietors.

Constant, say at least weekly, reports should be made by the Resident to Mr. Shepstone regarding the numbers and condition of the Langalibalele their returning to their former homes, and an accurate registry must be kept of them, and all important or interesting information so obtained should be communicated to me from time to time as received by Mr. Shepstone.

The Superintendent is to use his best endeavours to grant farms to individual families, wherever and whenever it is possible to do so; but under all circumstances it is essential to divide the location, especially the Langalibalele portion of it, up into very small allotments, so that no one Headman may have many families under his authority.

(Signed)

G. J. WOLSELEY, *Major-General,
Administrator.*

April 10, 1875.

No. 19.

War Office to Colonial Office.

Sir,

War Office, June 10, 1875.

I AM directed by the Secretary of State for War to transmit to you, to be laid before the Earl of Carnarvon, the proceedings of the Board of Officers appointed to investigate the circumstances connected with the retirement of the volunteers from the Bushman's Pass in November, 1873. Copies of correspondence on the subject accompany the proceedings.

I am to request the return of the inclosures of this letter.

I am, &c.

(Signed)

J. C. VIVIAN.

Inclosure 1 in No. 19.

Sir,

Government House, Natal, September 18, 1874.

YOUR Excellency is aware that a portion of the volunteers of this Colony attached to the two corps noted in the margin,* who served under the immediate command of Lieutenant-Colonel Durnford, R.E., at the Bushman's Pass during the recent rebellion of the late Chief Langalibalele, have expressed a strong desire that the circumstances under which they retired from the Pass should be investigated by a Court of Inquiry, in consequence of certain letters and statements which have from time to time been made public, and as it would be impossible to form any competent Court for the purpose in this Colony, I now do myself the honour to request that the appointment of a Court of Inquiry composed of officers serving in the Cape Colony under your Excellency's command, may be authorized.

2. Should your Excellency consent to the appointment of officers for this purpose, the Government of this Colony will of course make provision for the payment of their expenses on such scale as you may deem proper.

3. In the event of your Excellency feeling at liberty to order the assembly of such a Court as I have requested, I should feel obliged by your intimating to me, both for the satisfaction of the volunteer force and in view to any preliminary arrangements that may be necessary, the approximate date on which the officers who are to compose the Court may be expected to arrive.

I have, &c.

(Signed)

BENJ. C. C. PINE,

Lieutenant-Governor.

His Excellency Lieutenant-General Sir A. Cunynghame, K.C.B.,
Commander of the Forces in the Cape Colony and Natal, D'Urban.

Inclosure 2 in No. 19.

Sir,

Natal, September 25, 1874.

I HAVE the honour to acknowledge your Excellency's letter of the 18th of September, stating that you consider that it would be advisable that inquiry should

* Natal Carbineers and Karkloof Carbineers.

be made into the circumstances under which volunteers retired from the Bushman's Pass under the command of Major Durnford on the recent rebellion of the late Chief Langalibalele.

I beg your Excellency will believe that I am most anxious to render every assistance in my power, so that the measures you have taken in the organization of the defensive forces for the protection of this Colony should meet with every success, and with this view I shall have much pleasure in using my best endeavours to give effect to your wishes.

At this moment it is impossible for me to place before your Excellency the composition of the Court of Inquiry which I shall hope to assemble, or the date on which they can meet.

In consequence of the early relief of a large portion of the force which is placed under my command, it is requisite for me to arrange with circumspection the names of the members whom I should employ on this service.

Immediately on my arrival at the Cape, I will pay attention to your wishes, and believing that it is for the benefit of your Government that no avoidable delay should occur in the assembly of the inquiry, I will give you early information of the arrangements I propose to adopt in furtherance thereof.

I have, &c.

(Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

His Excellency the Lieutenant-Governor,
Natal.

Inclosure 3 in No. 19.

The Castle, Cape Town, October 19, 1874.

THE accompanying letter from his Excellency the Lieutenant-Governor of Natal will show his desire that the circumstances attending the defence of Bushman's Pass, in the Draakensberg mountains, on the occasion of the disaffection of Langalibalele and his tribe, should be inquired into.

2. Upon the volunteer forces of Natal depend very much the integrity of the Colony, and it is of material consequence that their character should in all respects stand high in the estimation of their fellow-citizens as well as that of the natives.

3. It is with this view that Sir Benjamin Pine has requested his Excellency the Commander of the forces to take such steps as he should consider advisable to cause inquiry to be made into the circumstance of the retirement of the volunteers from the pass on the occasion alluded to.

4. His Excellency the Lieutenant-General commanding has, in accordance with these wishes, and supported by the opinion of his Excellency Her Majesty's High Commissioner, given directions that a Board, consisting of Lieutenant-Colonel Walker, Assistant Military Secretary, Major Brockman, 86th regiment, and Captain Swiney, 32nd regiment, should proceed by the first opportunity to Natal for this purpose.

5. The President of the Board, on his arrival, after having presented himself to his Excellency the Lieutenant-Governor, will place himself in communication with Colonel Milles, commanding Her Majesty's forces, and with the Colonial Secretary, through whom he will request the attendance of such individuals as the Board may desire to examine.

6. The inquiry will be made as to the orders which were given by superior authority previous to the march of the volunteers; the composition of the force; the arrangement made for their supplies; their general march; the state in which they arrived at the pass, men and horses; the position they held when Major Durnford addressed the Kaffirs through an interpreter; the position of the enemy; the translation, &c., given to Major Durnford by the interpreter; the general bearing of the volunteers at this time; the movements which were then made.

7. Bearing in mind the information which they gain on these several points, and such others as they elicit on their examination, they will carefully weigh the circumstances, and will give their opinion for the information of his Excellency the Lieutenant-General, detailing the reasons and points of evidence upon which they form it.

8. Whether the volunteers retired in a precipitate manner, and if so, what circumstances which were brought before them reconciled such a retirement with

the obligations of their duty, or was it of so precipitate a nature as to cause this force to merited censure.

9. Whether there existed any reasons resulting from the peculiar circumstances in which they found themselves to palliate such a retirement.

(Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

Inclosure 4 in No. 19.

BEFORE recording their actual opinion as to whether the retirement of the volunteers from the Bushman's Pass in November 1873 was conducted in a precipitate and unjustifiable manner, the Court have to state as follows :—

The members of the Court have visited the scene of the late affair at the Bushman's River Pass, and have traversed the same country over which the force under Lieutenant-Colonel Durnford, R.E., marched and retired.

The orders previous to the march of the volunteers were given by Colonel Milles, 75th Regiment, and received the approval of his Excellency the Lieutenant-Governor. These orders, together with the detail of the composition of the force, are appended to the proceedings.

The general march was over an exceedingly rough and mountainous country, so rough and steep in some places as to render it unsafe to ride; consequently, the horses had frequently to be led up and down hills and precipices; this, of course, in a long march, would cause great fatigue to the men, and a certain amount of straggling.

The order of march was an advance guard of Basutos, Karkloof, and Natal carbineers combined, and pack-horses each in charge of a trooper.

The order relating to supplies for this force is attached. By the Volunteer Regulations it appears that the volunteers themselves are solely responsible for the arrangement with regard to provisions. The order was that 48 lbs. of cooked rations should be carried and they should have been carried by the men themselves, and not upon the pack-horses.

The state in which the force arrived at the Bushman's Pass was fair, considering the difficulties (during a long march) the men had overcome, and the small amount of food they appear to have obtained.

The horses should have been fairly fresh from their long halt of nearly ten hours in and about the mouth of the Giant's Castle Pass.

The position the force held when Lieutenant-Colonel Durnford addressed the Kaffirs was as follows :—

The troop was drawn up in a line across the mouth of the Pass, looking down it; two men dismounted were sent out on either side as videttes, with orders to prevent the natives from passing up at the sides, also to watch and report proceedings below. A few Kaffirs were at this time on some rising ground to the left, and were those to whom Lieutenant-Colonel Durnford spoke.

Seeing natives pressing up the passes to the right and left of the Bushman's Pass, the troops being unable to keep them back, owing to their orders not to fire or use force, Lieutenant-Colonel Durnford withdrew half the troops, and with them formed a cordon of investment outside the Kaffirs, the other portion of the troops remaining at the mouth of the pass.

Notwithstanding these precautions the natives still pressed up, and were arriving in great numbers; and finding that the troops were becoming unsteady, Lieutenant-Colonel Durnford ordered the movement of retirement to take place.

The translation given by Elijah (the interpreter) to Lieutenant-Colonel Durnford was to the effect that the old men were ready to listen to reason and obey the orders given to them, viz., to return to Colenso, but that the young men were in too excited a state to do so, although at first they said they would, but subsequently refused.

The general bearing of the volunteers at this time was fair, although they were in an unsettled state from exhaustion and inaction.

Opinion.

The Court having most carefully weighed and considered the whole of the evidence brought before it, do now arrive at the following opinion :—

With regard to the retirement of the volunteers from the Bushman's River

Pass in November, 1873, it appears to the Court that, although the volunteers were not wanting in individual bravery, yet as a whole they were greatly deficient in discipline and steadiness. Neither the officer nor the non-commissioned officers seemed to have any control over the men. It was unfortunate that there was a deficiency of volunteer officers, only one being present. There can be no doubt but that men and horses were much fatigued and harassed, but they were quite fit for an emergency. The forced inaction of the volunteers, the attitude and exclamations of the armed natives around them, tended greatly to cause uneasiness in the minds of the volunteers, the younger ones especially, and when ordered to retire, and the first shot was fired by the natives, a panic seized them which did not subside until they had descended the Giant's Castle Pass, nor was there any real attempt made to rally, notwithstanding the efforts made by Lieutenant-Colonel Durnford to recall them to a sense of duty. These efforts seem to have been mainly frustrated by the conduct of the late drill instructor, Sergeant Clarke, whose exclamations and general bearing tended greatly to increase the panic.

He was specially selected to accompany the volunteers on account of his supposed experience arising from his having served in Her Majesty's regular forces, but he totally failed to carry out the object for which he was selected. By the evidence of many of the volunteers and the Basutos, it appears that they had some meat, rum, and biscuits, although not to a very large amount, but still sufficient to prevent great exhaustion from want of food. They were not totally deficient of food as Sergeant Clarke in his evidence wishes to infer.

The Court now feel reluctantly compelled to arrive at the conviction that the volunteers did retire in a disorganized and precipitate manner, the result of a panic caused by a shot fired by the natives; that although attempts were made by Lieutenant-Colonel Durnford to rally them, more especially when they were out of the immediate fire, they failed to respond.

The Court are inclined to allow that there were certain mitigating circumstances connected with this retreat, viz., the entire want of proper discipline, the exhausted state they were in, the necessary forced inaction the men were subjected to, and the extremely bad example shown them by their late drill instructor, whose exclamations and general bearing would probably have unsettled even disciplined troops.

(Signed)

F. W. WALKER, *Lieutenant-Colonel and Captain, Scots Fusilier Guards, President.*

J. D. BROCHAM, *Major, Brevet-Major, 86th Regiment,*

G. C. SWINEY, *Captain, 32nd Light Infantry, Members.*

Dated this 12th day of December, 1874, at D'Urban, Natal.

Inclosure 5 in No. 19.

Sir,

Cape Town, December 31, 1874.

AT the request of your Excellency I directed the assembling of a Board of Officers, of which I appointed Lieutenant-Colonel Walker to be President, to investigate the circumstances connected with the retirement of the volunteers from the Bushman's Pass on the occasion of the rebellion of the tribe of Langalibalele in October and November, 1873. The first duty which these officers executed was that of examining the ground and the general position and theatre upon which the occurrences under investigation took place, and on their return to Pietermaritzburg they held an exhaustive inquiry into the case.

Upon the evidence produced before them they have founded their opinion: "That the volunteers did retire in a disorganized and precipitate manner.

"That, although the volunteers were not wanting in individual courage, yet as a whole they were greatly deficient in discipline and steadiness."

The Board further, however, state "that there were mitigating circumstances connected with the retreat," viz., "the entire want of proper discipline; the exhausted state they were in; the necessary forced inaction they were subjected to."

The evidence adduced causes me to coincide in this opinion, but I consider that there were many more circumstances in extenuation which have not been alluded

to, but which the evidence shows to have existed, and which in justice to the force I deem it essential for me to remark upon.

In the first place it would seem that there was a faulty organization as regards their command. They did not clearly understand whether they were to act directly under their own officer, or under the chief of the staff, and the want of sufficient officers to lead them, an element so essential to success in an expedition of this nature, was conspicuous.

It would appear to me that the wording of the order giving them "the advantages of the Mutiny Act" may be considered as ambiguous, and such as to hold out certain advantages, without the restrictions and penalties which its terms compel, and which do not seem to have been explained to them.

The orders respecting the transport of rations would seem not to have been carefully supervised, and the same remark applies in an equal degree to that of ammunition matters, involving the gravest and most essential conditions in war.

From the Commander downwards every action was, in my opinion, fettered and clogged with the most disadvantageous and unmilitary condition, viz., "not to fire the first shot," thus being restricted from using the weapons with which they were armed until actually assailed—a condition alike dangerous to the *morale* of the men as to the responsibilities of the Commander, and of itself calculated to invite disaster and which it eventually assisted to secure.

It would appear that under the terms of the orders the party were directed "to support natives acting under orders," whereas when they found themselves as a supporting body, they were themselves not only unsupported but advanced, especially for cavalry, in a position of the utmost peril, placed on the slopes of a mountain, the footmen of the enemy were allowed to obtain an advantageous position, screened by rocks, superior to and commanding the cavalry, and that as, on the one hand, the use of their weapons were denied to them, on the other they were in a position in which it would seem cavalry were unable effectually to act; on both sides of them well armed savages, behind selected rocks, musket or rifle in hand these volunteers were still under the order "not to fire until actually attacked:" a position trying to the utmost to the most disciplined of troops, how much more so then for men who, although recorded by the Board to be "individually brave," yet devoid of the advantages of discipline and exhausted in consequence of the failure of their transport?

It is but fair here to observe upon the steadiness and bravery of Major Durnford, and regarding which the volunteers gave ample testimony, and upon whom they appeared to have had the utmost reliance; shaken, indeed almost paralyzed, by a fall with his horse over a dangerous precipice, he never shrunk from his duty, and although severely wounded in two places, he used his utmost exertions to rally the retiring troops. Again, we must bear in mind that the volunteers were well acquainted with the natives, their proverbial duplicity was known to them, and many of them were acquainted with their language and customs. Although, therefore, in condemning their unmilitary conduct, yet I entirely concur in the opinion of the Board that there were mitigating circumstances connected with their retreat.

Comment has been made in regard to the conduct of Sergeant Clarke, and the opinion expressed by the Board would appear to be borne out by the evidence placed before it, but upon this I do not feel myself competent to record an opinion. It would appear that Sergeant Clarke, although apparently entrusted with a most responsible military duty, and one if not of command yet of great influence in action, was, I understand, not even acting under the obligations of a volunteer, but altogether in a civil capacity. How so dangerous a flaw in the organization of this force was sanctioned, I am at a loss to comprehend; but acting as, I am given to understand, he was entirely under civil protection, I refrain from recording any remarks upon his military assumptions or engagements.

I beg your Excellency will believe that I have given to the whole of these proceedings my most careful consideration. I can come to no other conclusion from the evidence, but that the volunteers, although they appear to have retired by order and in a military formation (by fours from their right), that this retirement soon assumed precipitation and an inability in their Commander to rally the body; but in weighing the circumstances alluded to by the Board in mitigation, which, although they may not and do not exonerate the military offence, yet they are of so highly palliative a character that, in my opinion, it would be ungenerous and even contrary to practice unreservedly to condemn the volunteers.

I have endeavoured to explain the principles upon which, after a very careful consideration of the evidence, I have formed my opinion, recapitulating many others in addition to those mitigating circumstances alluded to by the Court of Inquiry, the whole of which caused me to advise your Excellency to relieve these volunteers of censure from the most serious imputations under which a soldier can labour.

I have, &c.
(Signed) A. T. CUNYNGHAME,
Lieutenant-General, Commanding South Africa.

His Excellency the Lieutenant-Governor,
Natal.

No. 20.

Colonial Office to War Office.

Sir, *Downing Street, June 12, 1875.*
I AM directed by the Earl of Carnarvon to transmit to you, for the information of Mr. Secretary Hardy, a copy of a despatch from the Administrator of the Government of Natal,* reporting the suspension of Lieutenant Clarke, R.A., from his duties as Magistrate, with a view to his trial by Court-martial.

I am, &c.
(Signed) W. R. MALCOLM.

No. 21.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir, *Downing Street, June 15, 1875.*
I HAVE to acknowledge the receipt of your despatch of the 1st of May,† inclosing a paper, prepared by the Secretary for Native Affairs, on the future management of the location under the Draakenberg lately occupied by the Amahlubi tribe, and your Minute upon the subject.

I concur in the measures recommended by Mr. Shepstone, which appear to be consistent with those principles of native policy which the circumstances of the case require, and I approve the steps you have adopted for giving effect to them.

I have, &c.
(Signed) CARNARVON.

No. 22.

Colonial Office to War Office.

Sir, *Downing Street, June 17, 1875.*
I HAVE laid before the Earl of Carnarvon your letter of the 10th instant,‡ inclosing a report of the proceedings of the Board of Officers appointed to investigate the circumstances connected with the retirement of the volunteers from Bushman's Pass in November, 1873, and copies of the correspondence relating to the subject.

I am to request that you will express Lord Carnarvon's thanks to Mr. Secretary Hardy for communicating the papers to this Department.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 23.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 7, 1875.

I HAVE the honour to inclose, for your Lordship's information, copies of certain Minutes giving information as to the amount realised by the sale of the confiscated property of the people of Putili's tribe, of which no specific account appears to have been kept.

My Minute, upon which the Secretary for Native Affairs has been instructed to act, will show your Lordship the steps which are now being taken to compensate these people for their losses.

I have, &c.
 (Signed) G. J. WOLSELEY.

Inclosure in No. 23.

Minute.

I GATHER from these papers that the amount paid into the Treasury on account of property that belonged to the Putili tribe, that was sold during the late disturbances, may be roundly estimated at 12,000*l.* I desire that, in accordance with the decision of the Secretary of State for the Colonies, money, goods, or cattle, to that same value, may be distributed, with the least possible delay, to the Putili tribe, in such a manner as may seem most right and fitting, by the Secretary for Native Affairs. It is very desirable to make this repayment, as far as possible, in agricultural implements, and in sheep. During the ensuing cold weather blankets will also be required by many families; these and clothing should be issued as part payment whenever it may be considered advisable to issue them. I wish to have monthly statements made to me until this 12,000*l.* has been expended.

I consider it desirable to encourage natives to keep sheep, as when owners of large flocks of sheep they cannot go to war with the same ease to themselves as when their property consists of herds of cattle.

(Signed) G. J. WOLSELEY, *Major-General,*
Administrator.

April 26, 1875.

Minute Paper.

Treasurer forwards account, amounts realized by sale of confiscated property.
April 12, 1875.

His Excellency

Forwarded for his Excellency's information, as desired.

(Signed) F. N. B.

April 13, 1875.

Colonial Secretary.

His Excellency requires that the affairs of the Putili tribe be separated from the Amahlubi tribe, and a statement in detail given, both of receipts from and expenditure upon the Putili tribe

By command,
 (Signed) H. BRACKENBURY, *Major.*

April 13, 1875.

Treasurer (Mr. Ayloff).

To furnish the statement as desired by his Excellency.

(Signed) F. N. B.

April 13, 1875.

I regret to say that no separate accounts have been kept of the receipt or disposal of the cattle taken from Langalibalele's and Putili's tribes respectively, and hence I am unable to give a return of moneys received from sales of the latter. I have examined every accessible source, official and private, but have failed to ascertain anything beyond the presumption that the number seized from Putili's tribe was about 6,000, and by making an average allowance for deaths, the number sold will have been about 4,000, and the amount realized from the sale of these would be about one-half of the total proceeds of cattle sold, or say, in round numbers, about 12,762*l*.

The same difficulty exists in regard to payments and issues, excepting the cash advances amounting to 550*l*., which were made exclusively to Putili's tribe.

(Signed) JOHN AYLIFF, *Treasurer*.

Treasury, April 14, 1875.

Treasurer (Mr. Ayloff).

How about the "mealies, hides, other property, and cash." Surely some sort of statement must exist, or could be furnished. At any rate, the accounts must be made out separately, as his Excellency desires, for each tribe, and a note added, as above, stating how much is conjecture, and how much positively ascertained.

(Signed) F. N. B.

April 15, 1875.

The information regarding the mealies, &c., is equally incomplete. It is suggested that more information as to the division of the charges could be obtained from the Secretary of Native Affairs.

(Signed) G. POMEROY COLLEY, *Colonel,*
Acting Colonial Treasurer.

April 16, 1875.

Secretary for Native Affairs.

Can you give us any information as to the division of these items?

(Signed) F. N. B.

April 17, 1875.

There can, I think, be no nearer estimate made of the value of the property taken from the Putili tribe and confiscated than Mr. Ayloff suggests. The proportion of expenditure for their relief was, however, much less than that for the Amahlubi, because the families of the latter were brought to the neighbourhood of Maritzburg, whence they were fed and supplied with other necessities, whereas those of Putili never were taken out of the Weenen County; for all practical purposes, therefore, the value of confiscated property of all kinds may be put down as one-half of the whole from the Putili people, while the relief afforded them did not exceed one-fourth of that to the Amahlubi, exclusive of the advances specially made in money.

(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

April 26, 1875.

His Excellency.

Re-submitted, with all the additional information procurable.

(Signed) F. N. B.

April 26, 1875.

Minute.

April 12, 1875.

Treasurer, Natal, to the Hon. Colonial Secretary.

Forwarding returns of amounts realised for the sale of confiscated property of the Amahlubi and Amangwe tribes, and of the sums expended for supplies, &c.

The delay in furnishing these returns has been caused by the difficulty

experienced in culling the amounts item by item out of the general sums abstracted under the head of "Special Receipts," but the total now submitted certainly covers the entire receipts.

(Signed) JOHN AYLIFF, *Treasurer*.

Colony of Natal.

STATEMENT showing the amounts realized for the Sale of Property confiscated from the Amahlubi and Amangwe Tribes of Natives (to date).

PARTICULARS.						£	s.	d.
Sale of cattle, houses, sheep, and goats	..	..	..	..	..	24,588	17	9
„ mealies and Kafir corn	..	..	..	..	..	810	16	0
„ hides	..	..	..	..	..	72	0	0
„ other property	..	..	..	..	..	37	1	3
Cash taken from natives	..	..	..	..	..	16	5	0
Total	..	..	..	..	..	25,525	0	0

(Signed) JOHN AYLIFF, *Treasurer*

Treasury, Natal, April 12, 1875.

Colony of Natal.

STATEMENT showing the amounts paid out of the Treasury for supplies to the Amahlubi and Amangwe Tribes of Natives (to date).

PARTICULARS.						£	s.	d.
Supplies of meal, mealies, salt, beef, slaughter cattle, pots, firewood, medicines, clothing, &c., and for carriage of same, &c.	..	..	..	..	..	4,150	3	8
Advances made to natives through the Resident Magistrate, Weenen Country	..	..	..	..	..	550	0	0
Total	..	..	..	..	..	4,700	3	8

The pay and expenses of feeding native guards over the prisoners, and expenditure for tents, &c., is not included in the 4,150*l.* 3*s.* 8*d.*

(Signed) JOHN AYLIFF, *Treasurer*

Treasury, Natal, April 12, 1875.

No. 24.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 13, 1875.

I HAVE the honour to forward, for your Lordship's information, copy of a letter and accompanying Memorandum, which I have caused to be forwarded to the Lord Bishop of Natal, relative to the agitation caused among the natives by a certain message reported to have been sent by native messenger to members of the Amahlubi tribe resident in the county of Klip River.

I have, &c.

(Signed) G. J. WOLSELEY

Inclosure 1 in No. 24.

My Lord Bishop,

Government House, Natal, May 12, 1875.

I HAVE it in command from Major-General Sir Garnet Wolseley to inclose, for your information, a memorandum relating to the agitation caused among the natives of Klip River County by the delivery of a message by one Umlandule to Umsiti, an Induna of Langalibalele, in the presence of many other natives.

This message, which is given in the Memorandum, is alleged to have been sent by your Lordship.

Although his Excellency is convinced that no such message was ever sent by your Lordship, and that your Lordship's only object in sending messengers to the Amahlubi tribe was to induce them to work, and with part of their wages to buy land for themselves, yet his Excellency considers it unfortunate that your messengers should have been directed to go out of the Colony, without being properly accredited, into the Orange Free State, with which it is the earnest desire of his Excellency to maintain relations of mutual confidence, and that the mission was not reported or explained to the authorities concerned.

Members of the Amahlubi tribe out of Natal are still liable to the condition that, on their return, they will be subjected to the Refugee Regulations; they are not, therefore, on the same footing as those in the Colony, and although it is not his Excellency's intention to enforce rigidly the terms of the amnesty of 2nd May, 1874, on this point, the policy of the Government is not specially to encourage their return.

His Excellency feels sure that it is only necessary to point out to your Lordship the nature of the message imputed to you, and the agitation caused by it, to ensure your Lordship's avoiding in future sending communications to the natives of Langalibalele's tribe independently of the authorities concerned. He hopes that he need scarcely assure your Lordship of his perfect willingness to assist you in any measure which is, in his Excellency's opinion, for the welfare of the Colony, and he relies with confidence upon your Lordship's loyalty that you will do nothing contrary to the policy decided upon by that constituted authority which represents Her Majesty in the Colony of Natal.

I have, &c.

(Signed)

H. BRACKENBURY, *Major*.

The Right Reverend the Lord Bishop of Natal.

Inclosure 2 in No. 24.

Memorandum.

FROM private and confidential papers it appears that, in the middle of April, it was reported through the Klip River County that the Bishop of Natal had sent messengers into that county, stirring up the natives with the hope that the late Chief Langalibalele would return to Natal, and applying to them for money to effect that return.

There is no doubt that much agitation was caused among the natives by these reports.

It has been formally deposed by a native, who was present at an interview between Umlandule, a messenger said to have been sent by the Bishop of Natal, and Umsiti, an Induna of Langalibalele, that the following message was given by Umlandule to Umsiti:—

"I am sent by Sobantu to tell you that all of you who wish to (konza) remain under Langalibalele should send him (Sobantu) money to buy a place, and that he (Sobantu) would set up again Langalibalele as a Chief in Natal, somewhere near Maritzburg, and that all those who wish it should collect under him, and you are to send your children with money to him (Sobantu), and he (Sobantu) will teach them to read."

Umlandule is asserted to have said at the same time that he was sent by the Bishop to Umkitshimi, over the Berg, with a similar message, and that he had delivered the same message to all Langalibalele's people living in Weenen County.

All the people living round Umsiti are said to have been collected together, and to have heard the above message when it was delivered.

It is in evidence that Umsiti sent a messenger to Umango, a son of Langalibalele, at Estcourt, to know whether he had received a similar message from the Bishop, and that Umango replied that he had, and that he knew all this.

Umlandule and another native, said to have been also sent by the Bishop of Natal, passed through Weenen County without reporting themselves to the Resident Magistrate. Neither did Umlandule report himself to the Resident Magistrate at Ladysmith; it is alleged, however, that he posted a letter from the Bishop to the Resident Magistrate, Klip River County, but this letter was never received by the Resident Magistrate.

Umlandule returned from Overberg with five men of the Amahlubi tribe, but

made no report to the Resident Magistrate when passing through Klip River County on his return.

Umlandule was in possession of a "pass" from Lieutenant-Colonel Durnford, R.E., granting him leave of absence from 14th March to 14th April, and has himself stated that he was sent by the Bishop over the Draakenberg to the Amahlubi people living on the other side.

By command,
(Signed) H. BRACKENBURY, Major,
Government House, Pietermaritzburg, May 11, 1875.

No. 25.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)*

My Lord,

Government House, Natal, May 12, 1875.

I HAVE the honour to inclose a copy of a despatch that I have this day addressed to the Governor of the Cape Colony.

2. Having now had good opportunities afforded me, not only for gauging public opinion here, but for arriving at a fair conclusion as to what would and what would not tend to good government, to the future security of life and property amongst the white settlers, and to the maintenance of law, order, and justice, among the Kafir population, I would deprecate in the strongest terms the return of Langalibalele to this Colony.

3. I do not believe that his return here would lead to any immediate disturbance amongst the Kafirs, but it would unsettle their minds and re-arouse the intensely angry feelings occasioned by recent events, and lately existing between the two races, which feelings it has been my earnest endeavour to allay.

4. Langalibalele, as I am informed by all classes here, official and non-official (a very small knot of men of extreme views excepted), is regarded by the native population at large as a Chief who, having defied the authorities, and in doing so occasioned the murder of some white men, is now suffering for that conduct. In their opinion, his attempts to brave the Government have been checkmated, and his banishment from the Colony (regarded as a lenient punishment by the native population at large) cannot fail to be a serious warning to all other Kafir Chiefs, not only in Natal, but in South Africa, to avoid imitating his example.

5. If he was now allowed to come back here his influence would be intensified many fold, as the natives would naturally be led to believe either that his supernatural powers are so great as to have secured his release, or that we are afraid of him, and nothing can, in my opinion, be more injurious to our interests in dealing with barbarous races than the creation in their minds of any doubt as to our strength.

6. I have no wish to sit in judgment upon past events. Your Lordship has already given a clear decision upon the subject in your Lordship's despatch of 3rd December, 1874. I merely take the condition of affairs as I find it now, and I give my opinion as to what I conceive would be best for the future safety of the Colony and most conducive to the true interests of the people, both white and black. To secure these objects it is essential that a good feeling should exist between the two races, and I am bound to say that, in my opinion, those who, by the line of conduct they adopt, keep alive the recollection of past events, serve to estrange the two races, and to widen that gulf between them which it has long been the object of this Government to narrow as much as possible, so as ultimately to bridge it over altogether.

7. I have no wish to attribute to those who adopt this policy any interested motives; I am sure that they are actuated by feelings of high philanthropy, and nothing is further from my mind than a wish to cast any slur upon them. Yet I must say that, from the manner in which they refuse to believe all evidence that does not coincide with their own peculiar views, and from the fact of their regarding the condition of affairs in Natal from one standpoint alone, I am forced to consider them impractical, and not to be relied on as advisers by those who are responsible for the good government of all classes.

8. It is scarcely necessary for me to remind your Lordship how easy it is to get up sensational accounts of events in countries like Natal, where a small white

community is planted in the midst of barbarous tribes twenty times its number. In a new Colony like this there will always be found some rough cruel men who, previous to emigrating, have never had servants of their own, nor the direction of labourers, and are apt to oppress and to act unfairly towards the natives; but that these men are exceptions is clearly proved by the constant flow of natives into Natal from the neighbouring independent provinces, and by the wealth and prosperity of those long settled in the Colony.

9. The natives of Natal are well off in every sense, and although many circumstances combine to prevent the spread of Christianity or of civilization amongst them, there can be no doubt that, as a people, they are to-day far in advance of those not living under British rule.

10. Such sensational narratives, oftentimes based upon unsifted evidence, find credence too easily by the people of England, where, in our intense anxiety to protect the weaker race, our minds are liable to believe that the strongest must always be in the wrong.

11. In reading highly coloured accounts of this nature regarding events in Natal, it behoves us, I submit, to remember that the white community is not actually the stronger party here. It has, of course, many elements of strength not possessed by the natives, in the way of superior courage, intelligence, arms, and discipline; but, even this superiority being fairly admitted, when we consider the manner in which the colonists are scattered over the face of this wide Province, I believe that if, from any well-founded belief in our weakness, the Kafir population of between 300,000 and 400,000 souls were to combine together, the temporary destruction of this Colony would certainly follow.

12. I do not believe it to be possible for the two races to live together on perfect terms of equality; one or other must be the predominant power in the State, and if the very small minority of white men is to be that power, the great native majority must be taught, not only to confide in its justice, but to realise and acknowledge its superiority.

13. I have thought it advisable to enter into this subject at length, because I consider it essential to correct opinions that have been formed in England upon the one-sided, highly-coloured, and, in some instances, incorrect statements that have been made public in a sensational manner, and to show—

(1.) That the Government of the Kafirs here has been successful, and that under it—whilst all their customs most repulsive to humanity have been abolished, and whilst to a limited extent they have acquired the first elements of civilization—they have become a happy, wealthy, and prosperous community.

(2.) That in reality the Kafirs are in numbers not only vastly superior to the white settlers, and that they are capable of becoming a very dangerous element in the Colony.

(3.) That to retain Natal as a European Colony it is essential to rule the Kafirs, not only with justice, but with the utmost firmness, and to make them believe in our strength.

14. Taking these things into my consideration, and having carefully weighed in my mind all that can be said for and against the return of Langelibalele to Natal, in the event of its being found impossible to locate him in the Cape Colony, I would urge upon your Lordship the advisability of providing him with a home in St. Helena, or in some other healthy place, at a distance from this part of Southern Africa.

15. Although I have not consulted any member of the Legislative Council on the subject, I think I may say with confidence that any law required to give effect to whatever decision your Lordship may come to with reference to securing this Colony against Langelibalele's return to it, would be gladly consented to by that legislative body.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 25.

Sir,

Government House, Natal, May 12, 1875.

FROM the published reports of the proceedings in the Cape Parliament, I perceive there is a possibility of the rejection of the Bill introduced by your present Ministry for the transfer of Langelibalele from Robben Island to a location on the

mainland, I therefore think it right to inform your Excellency that, in my opinion, his return to this Colony would be very injurious to its interests, and might hereafter lead to serious complications.

2. In the event of this Bill being unfortunately lost I have, therefore, to request that your Excellency will be good enough to allow that Kafir Chief to remain on Robben Island until the orders of the Secretary of State for the Colonies as to his future disposal can be obtained. I am advised that the Cape Act No. 3 of 1874, never having been disallowed, will enable your Excellency's Government to give effect to my request in this matter.

I have, &c.

(Signed) G. J. WOLSELEY,
Major-General, Administrator.

His Excellency Sir Henry Barkly, G.C.M.G., K.C.B.,
Governor of the Cape Colony.

No. 26.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 17, 1875.

IN your Lordship's despatch of 3rd December, 1874,* addressed to Sir B. Pine, was inclosed a translation of a proclamation intended by your Lordship for publication to the natives. Although this translation was published with the despatch in the Natal Government "Gazette," for general information, the Proclamation itself has never been formally issued to the natives; and your Lordship will observe that it is impossible for me to issue the Proclamation as it stands, until the arrangements are complete for Langalibalele's removal from Robben Island, as I assume that the publication, in the name of Her Majesty, of the words, "Langalibalele, We release from imprisonment on the island on the sea," amounts to an actual order for his release from that island.

2. In the meantime I take the liberty of informing your Lordship that the words, "the Amahlubi may, if they choose, when that is prepared which is to be prepared, go to him," are interpreted, by those who have taken an active part in favour of the tribe, as binding this Government to convey all members of the Amahlubi Tribe who may wish to join Langalibalele, to whatever place may be finally selected for his location. I do not conceive that any such meaning is intended, and should not recommend that such an interpretation should be recognized. I think, however, it may fairly be matter for consideration whether Langalibalele's wives and children, who have lost all their property, might not be assisted with passages by sea to join Langalibalele, in the event of his desiring that they should join him, and their expressing a wish to that effect. I have the honour to request your Lordship's instructions upon this point.

3. As regards any supposed necessity for conveying others of the tribe out of the Colony, on the alleged ground of their destitute condition here, I would remind your Lordship that any able-bodied native in this Colony can, in two or three months, earn means enough to support himself for the remainder of the year, and that the more wives and children a man has, the better off he is, as they are a source of wealth, rather than an incumbrance, in consequence of the value of their labour.

I have, &c.

(Signed) G. J. WOLSELEY.

No. 27.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received June 23.)

My Lord,

Government House, Natal, May 17, 1875.

HAVING given much consideration to the native question, and having had the advantage of hearing opinions upon it from men of all phases of thought, I am

* No. 26 of C. 1121 of 1875.

decidedly of opinion that the system of having immensely large tracts of country within the Colony occupied solely by natives, is injurious to the public interests. It cuts off the Kafirs settled there from contact with the white settlers, creates a distrust in the minds of the latter, who are apt to exaggerate the power of black communities regarding whom nothing is apparently known, and by this isolation tends to retain the natives in a state of barbarism. It serves to continue the power of the hereditary Chiefs, and to prevent native families from becoming the individual proprietors of land.

2. These views are not new; I find them clearly stated in a despatch from Earl Grey to Sir Harry Smith, dated 30th November, 1849, and they are in a great measure embodied in the draft Bill for Native Affairs drawn up, at your Lordship's desire, by Mr. Shepstone when he was in England.

3. The location formerly allotted to the Langelibalele tribe still remains unoccupied to any great extent. It has been carefully surveyed and found to contain 145,000 acres, being 55,000 acres in excess of the 90,000 acres originally allotted as a location for that tribe. This excess has been occasioned by the gradual encroachment of the tribe on Crown Lands, which, not having been surveyed, it was never easy to define.

4. Under these circumstances, I would propose establishing a narrow belt of farms, to be occupied by white men on the Langelibalele Location, where it marched with that of the Putini Tribe. This belt would consist of about 33,000 acres, and would consequently reduce the size of the Location to about 112,000 acres, a quantity still in excess of the amount originally intended. I would propose selling these farms, but upon the condition that they should be occupied by resident white men.

5. I have to request your Lordship's sanction to this proposal being carried into execution. It will have the effect of separating the Putini tribe from the natives, who may hereafter be settled in the Langelibalele Location, and by establishing white farmers amongst them, it will, I think, tend materially towards their civilization.

6. I inclose Mr. Shepstone's views upon this subject.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure in No. 27.

Minute Paper.

May 8, 1875.

DIVISION of the Amahlubi and Putili Locations by introduction of white settlements.

Minute by his Excellency the Administrator.

Secretary for Native Affairs.

Please furnish the reports desired by his Excellency.

By command,
(Signed) H. BRACKENBURY, Major.

May 8, 1875.

I want to establish a belt of white settlers between the Putini and Langelibalele Locations; I wish, therefore, that Mr. Wheelwright would at once report upon the best means of doing this, and describe the locality he would recommend for this white occupation.

I also want to divide the Langelibalele Location into two or more lots, by running a similar belt of white settlements through it, the belt to rest at one end on the Berg, and at the other on land already occupied by white people.

If necessary, an allotment of land, similar in extent to that occupied by these belts, could be made elsewhere, from the Crown Lands, and handed over to the native trust.

Mr. Shepstone will please report upon this:—

1. As to the feasibility of the proposition; and—
2. As to the advisability of carrying it out.

(Signed) G. J. W.

May 8, 1875.

I have had the advantage of consulting Mr. Wheelwright, who, at present, is in charge of the Location, and Mr. Fannin, who surveyed it in blocks of 3,000 acres each.

A set of these blocks was suggested by this latter gentleman to form the proposed belt, one end of which rests as near to the Draakenberg as Mr. Fannin considers inhabitable, the other on lands already occupied by white people, forming a line perpendicular to the mountain range.

The blocks suggested are represented by the following numbers on Mr. Fannin's Survey:—33, 34, 30, 32, 29, 31, 26, 21, 20, 18, 19, with a reserve between 26 and 21, which is suitable for, and may hereafter become, a village or township, and will at once be the seat of the Magistrate or Superintendent.

I do not see the necessity for making the farms larger than 1,500 acres; this size would give 22 farms.

The conditions have yet to be considered; I need not, therefore, now enter upon any discussion of them.

As far as I can judge, the plan is quite feasible. The land is at the disposal of the Government, because not yet alienated, and the rights of the natives hitherto occupying it have been declared forfeited by their conduct.

As to the advisability of carrying it out, I think the experiment could not be made under more favourable circumstances; the land is free of claimants, so that occupiers, both white and black, will be able to adapt themselves to the state of things by which they find themselves surrounded. It is not like thrusting a new population into an old and settled location.

The belt above described runs along the boundary, but does not otherwise touch the Putuli Location, as far as I can judge.

The principle of placing belts of white farms in native locations has before been discussed, and recommended by authorities whose opinions command respect, and I should be glad to see the first experiment made where the consequences of failure would be comparatively of small account.

I must say, however, that I have never felt anxious to see individual white farmers settled among masses of natives; it seems to me like courting collision. Differences and disputes are sure to arise, and what was in reality a mere personal quarrel might, in consequence of the position of the parties to it, precipitate serious disaster.

This objection does not apply so much to the present trial, for reasons already given above, and should it succeed, there will be no difficulty in opening up another belt in the same location, on the basis of land of equal extent being given elsewhere, as mentioned in his Excellency's Minute.

(Signed)

T. SHEPSTONE,

Secretary for Native Affairs.

May 16, 1875.

No. 28.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, June 28, 1875.

I HAVE received your despatch of the 13th May,* on the subject of a message reported to have been sent by the Bishop of Natal to members of the Amahlubi tribe residing in the county of Klip River.

I cannot hesitate to share your conviction that there must have been some great mistake in supposing that the Bishop can have authorised the communication referred to, or anything resembling it, because I received from the Bishop spontaneous and most earnest assurances, on which I implicitly rely, that he would co-operate to the best of his ability in carrying out the policy on which Her Majesty's Government have decided.

It is needless to say that nothing could offer graver impediments to the success of that policy than for any person in a position of actual or supposed authority, not directly commissioned by the Government, to send independent communications to the natives.

I have, &c.

(Signed)

CARNARVON.

No. 29.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, June 28, 1875.

I HAVE to acknowledge the receipt of your despatch of the 17th of May,* stating the reasons (in which I concur) which induced you not to issue formally the Proclamation to the natives inclosed in my despatch of the 3rd December.

Your view of the clause in the Proclamation as to the Amahlubi joining Langelibalele is correct; there was no intention that the members of the tribe generally should be conveyed at the cost of the Government to his location; but whenever he is placed on such a location it would seem reasonable that his wives and children, and any individuals of his tribe whom for special reasons you may approve, should, if they desire to join him, receive assistance in doing so from public funds.

It will, of course, be necessary to wait for the completion of the arrangements which may be made by the Cape Government for the disposal of Langelibalele before taking any steps in this matter.

I have, &c.

(Signed) CARNARVON.

No. 30.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 3.)

My Lord,

Government House, Cape Town, June 4, 1875.

ALTHOUGH in my despatch of the 23rd March,† when forwarding copy of a Ministerial Minute intimating that a Bill would be introduced at the then approaching session of the Cape Parliament to repeal Act No. 3 of last session, and provide for the transfer of Langelibalele and his son from Robben Island to a suitable location on the mainland, I promised to transmit a copy of such Bill so soon as it had been prepared by the Attorney-General, I afterwards thought it better to abstain from doing so because, whilst it would have been most imprudent to delay its introduction until I could receive any comments your Lordship might desire to make, so strong an opposition to the course proposed manifested itself shortly afterwards in Parliament that it became quite impossible to foresee in what shape the measure would ultimately pass.

2. I am glad, however, at length to be in a position to announce officially to your Lordship that, thanks to the firm yet conciliatory attitude of Mr. Molteno and his colleagues, the Bill, after long and stirring debates in the Assembly, has been carried with but slight modifications through both Houses by large majorities, and that it now only awaits the Royal assent and my subsequent Proclamation of the date at which it is to take effect to become law.

3. It has not, indeed, yet reached my hands, as the third reading in the Legislative Council only took place last night; but so soon as it does I shall, if my Responsible Advisers approve, take steps for notifying my assent to it in Her Majesty's name, without waiting as usual till the end of the session, and I hope, therefore, to be able by next mail to submit it formally, for your Lordship's directions, with a view to its ready promulgation.

4. Meanwhile I inclose copy as finally adopted, as well as the draft laid before both Houses of the Regulations for giving it effect, which I propose, with the advice of my Executive Council, to make under authority of Clause 3. It will be seen thereby that it is intended to locate the ex-Chief and his son on a farm of 1,650 acres, situated 5 or 6 miles from Cape Town, which offers peculiar advantages in respect to surveillance, the Government plantations which surround it being under the charge of rangers, who can easily and unobtrusively perform this additional duty.

I have, &c.

(Signed) HENRY BARKLY.

Inclosure 1 in No. 30.

Bill to Repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof.

[Transmitted to the House of Assembly by his Excellency the Governor.—Passed the Legislative Council, June 3, 1875.]

WHEREAS the Native Chief Langalibalele, and one of his sons, named Malambuli, having been tried and sentenced in the Colony of Natal to banishment and imprisonment, the former for life, and the latter for a period of five years, and the Lieutenant-Governor of the said Colony having applied to the Government of this Colony to permit the said persons to be sent to Robben Island to undergo their said sentence, it was considered expedient, as well in the interests of this Colony as of the said Colony of Natal, that the said application should be complied with, and the Act No. 3 of 1874 was therefore passed, authorizing the imprisonment at Robben Island of the said persons, who are now there imprisoned accordingly; and whereas, since the passing of the said Act, in consequence of representations made to Her Majesty the Queen, Her said Majesty has been pleased to notify her intention to exercise her clemency towards the said Langalibalele and the said Malambuli, and her desire that they should be released from their said imprisonment at Robben Island, and located on the mainland of this Colony, but under such restrictions and provisions as shall prevent their return to the said Colony of Natal, during the period for which they were so sentenced as aforesaid; and whereas Her said Majesty's Government has applied to this Colony to aid in carrying out Her Majesty's said desire, and it is expedient to make provision accordingly, so far as is consistent with the interests of this Colony; and whereas it is highly desirable for the peace and security of South Africa that, notwithstanding the release of the said Langalibalele and the said Malambuli from Robben Island, all due precautions should be taken to keep them during the said periods within certain limits, so as to prevent them from proceeding to the said Colony of Natal, or to the frontier of this Colony, and from coming in contact with the native tribes on the said frontier: Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:—

I. It shall be lawful for the Governor to provide and set apart a suitable and sufficient location in the Cape division on the mainland of this Colony, for the residence of the said Langalibalele and the said Malambuli during the said periods for which they respectively have been prohibited from returning to the said Colony of Natal; and, upon such location being provided, the said Langalibalele and the said Malambuli shall be removed thereto.

II. The said location shall be defined and fixed by proclamation, to be published in the Government Gazette; but may, from time to time, by like proclamation, be changed and altered as may be found expedient.

III. It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make such regulations as may be considered necessary in order to restrict the said Langalibalele and the said Malambuli during the said periods to the said location, and to prevent them from proceeding beyond the limits thereof.

IV. In case the said Langalibalele and the said Malambuli, or either of them, shall, during the said respective periods, proceed beyond the said location without the permission in writing of the Secretary for Native Affairs, or shall contravene any regulation which may be made as aforesaid, it shall be lawful for any person, with or without warrant, to apprehend them or him; and thereupon it shall be lawful for the Governor, with the advice of the Executive Council, to take such steps as may be considered necessary for the safe custody of the said offenders or offender during the remainder of the said periods.

V. Every person who shall aid or incite the said Langalibalele and the said Malambuli, or either of them, to escape, or attempt to escape, beyond the limits of the said location, or shall knowingly harbour the said Langalibalele and the said Malambuli, or either of them, when they have so escaped, shall, on conviction before any competent court, be liable to a fine of not exceeding 50*l.*, or to imprisonment, with or without hard labour, for not exceeding twelve months, or to both such fine and such imprisonment.

VI. Notwithstanding anything in this Act contained, it shall be lawful for the Governor, with the advice of the Executive Council, at any time to relieve the said Langalibalele and the said Malambuli, or either of them, from the operation of this Act, under such terms and condition as may seem fit.

VII. This Act shall commence and take effect from and after such date as shall be fixed by the Governor by Proclamation in the Government Gazette, and thereupon the said Act No. 3 of 1874 shall be and is hereby repealed.

Inclosure 2 in No. 30.

*Draft of proposed Rules and Regulations to be observed in connection with the Location of Langalibalele and Malambule at Uitvlugt, on the Cape Downs, about four miles from Cape Town.**

1. LANGALIBALELE and Malambule will be located at the farm residence and neighbouring Government grounds at Uitvlugt, under surveillance and supervision of the Superintendent of the plantations, and constables serving under his orders, who will be held responsible for their detention. One or two of Langalibalele's wives and a few followers (the number to be determined by this Government, in concert with that of Natal) will be permitted, if they desire it, to reside on the location.

2. The limits of the land allotted for their use and benefit may be thus described:—On the north by the Wellington Railway, following the line from the fourth mile to the sand hills at the eighth. On the south by the farms “Fygge Kraal” and “Jackalls Vley” in a direct line to the highest point on sand hills shown on plan. On the east by the sand hills from the Wellington Railway at the eighth mile to the high ground near “Jackalls Vley.” On the west by the farms “Neuwe Molen,” “Oude Molen,” and “Rapen Berg,” comprising altogether (independently of the plantations which are under conservation) an area of upwards of 1,650 acres.

3. No strangers will be permitted to trespass or graze their stock within these limits, except under the written order of the Honourable the Secretary for Native Affairs, to be delivered through the Superintendent.

4. Langalibalele and Malambule will not be permitted to be absent from their residence between sunset and sunrise; but they will have free liberty to move about during the daytime over the land and premises allotted for their use as previously defined. Should they be found beyond such limits they will be ordered back by the Superintendent or any of his constables; and should they not immediately return, they will be liable to be arrested, and, if necessary, to be placed under stricter surveillance.

5. To prevent any doubt as to boundaries, they will be well defined by white posts having notices placed upon them warning strangers not to trespass.

6. No presents will be allowed to be given, except by permission of the Superintendent. Langalibalele and his wives and Malambule will be supplied by the Government with everything essential to their health and comfort. An ample supply of good food, clothing, bedding, and all other necessities will be provided for them.

7. A medical officer will visit Langalibalele and Malambule when required to do so by themselves or by the Superintendent in charge.

8. The Superintendent will make a weekly report to the Government as to the observance of these regulations by Langalibalele and Malambule, with any suggestions that may occur to him conducive to their comfort and absolute security.

9. Either the Superintendent or Chief Ranger will certify each day, in a book kept for that purpose, that Langalibalele and Malambule are in safe keeping.

10. Subject to the aforesaid Regulations required for the safe detention of Langalibalele and Malambule, all reasonable indulgence and freedom of action will be permitted.

No. 31.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, July 3, 1875.

I HAVE received your despatch of 17th of May,† stating that you propose to establish a belt of farms on the Langalibalele location, comprising in all about

* With plan, deposited with the Clerk of the House of Assembly.

† No. 27.

33,000 acres, and to sell these farms on the condition that they shall be occupied by resident white men.

I think it very desirable that the experiment of mingling the white inhabitants with the Kafirs should be tried, under conditions involving the least possible amount of risk, and I am therefore prepared to sanction this particular scheme on your recommendation.

I gather that while Mr. Shepstone, whose Minute you inclose, would apprehend danger from the settlement of European farmers in isolated positions among large numbers of Kafirs, he does not consider this particular scheme open to that objection, and concurs in the expediency of adopting it.

I have, &c.
((Signed)) CARNARVON.

No. 32.

Governor Sir H. Barkly, G.C.M.G., K.C.B., to the Earl of Carnarvon.—(Received July 5.)

My Lord, Government House, Cape Town, June 10, 1875.

REFERRING to my despatch of the 4th instant,* I have now the honour to submit, for your Lordship's directions thereon, an Act passed by the Parliament of this Colony, intituled an Act to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof.

2. I forward also the usual certificate and Report from the Attorney-General with regard to the provisions of this enactment, and recommending it to your Lordship's favourable consideration.

I have, &c.
((Signed)) HENRY BARKLY.

Inclosure 1 in No. 32.

Act to Repeal the Act No. 3, of 1874, and to make other Provisions in lieu thereof.

WHEREAS the native Chief, Langalibalele, and one of his sons, named Malambuli, having been tried and sentenced in the Colony of Natal to banishment and imprisonment, the former for life and the latter for a period of five years, and the Lieutenant-Governor of the said Colony having applied to the Government of this Colony to permit the said persons to be sent to Robben Island to undergo their said sentence, it was considered expedient, as well in the interests of this Colony as of the said Colony of Natal, that the said application should be complied with, and the Act No. 3 of 1874 was therefore passed, authorizing the imprisonment at Robben Island of the said persons, who are now there imprisoned accordingly; and whereas since the passing of the said Act, in consequence of representations made to Her Majesty the Queen, Her said Majesty has been pleased to notify her intention to exercise her clemency towards the said Langalibalele and the said Malambuli, and her desire that they should be released from their said imprisonment at Robben Island and located on the mainland of this Colony, but under such restrictions and provisions as shall prevent their return to the said Colony of Natal during the period for which they were so sentenced as aforesaid; and whereas Her said Majesty's Government has applied to this Colony to aid in carrying out Her Majesty's said desire, and it is expedient to make provision accordingly, so far as is consistent with the interests of this Colony; and whereas it is highly desirable for the peace and security of South Africa that, notwithstanding the release of the said Langalibalele and the said Malambuli from Robben Island, all due precautions should be taken to keep them during the said periods within certain limits, so as to prevent them from proceeding to the said Colony of Natal or to the frontier of this Colony, and from coming in contact with the native tribes on the said frontier. Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:—

1. It shall be lawful for the Governor to provide and set apart a suitable and sufficient location in the Cape division on the mainland of this Colony, for the residence of the said Langalibalele and the said Malambuli during the said periods for which they respectively have been prohibited from returning to the said Colony of

Natal; and, upon such location being provided, the said Langalibalele and the said Malambuli shall be removed thereto.

II. The said location shall be defined and fixed by proclamation to be published in the "Government Gazette"; but may from time to time, by like proclamation, be changed and altered as may be found expedient.

III. It shall be lawful for the Governor, with the advice of the Executive Council, from time to time to make such regulations as may be considered necessary, in order to restrict the said Langalibalele and the said Malambuli during the said periods to the said location, and to prevent them from proceeding beyond the limits thereof.

IV. In case the said Langalibalele and the said Malambuli, or either of them, shall, during the said respective periods, proceed beyond the said location without the permission in writing of the Secretary for Native Affairs, or shall contravene any regulation which may be made as aforesaid, it shall be lawful for any person, with or without warrant, to apprehend them or him; and thereupon it shall be lawful for the Governor, with the advice of the Executive Council, to take such steps as may be considered necessary for the safe custody of the said offenders or offender during the remainder of the said periods.

V. Every person who shall aid or incite the said Langalibalele and the said Malambuli, or either of them, to escape or attempt to escape beyond the limits of the said location, or shall knowingly harbour the said Langalibalele and the said Malambuli, or either of them, when they have so escaped, shall, on conviction before any competent court, be liable to a fine of not exceeding 50*l.*, or to imprisonment with or without hard labour for not exceeding twelve months, or to both such fine and such imprisonment.

VI. Notwithstanding anything in this Act contained, it shall be lawful for the Governor, with the advice of the Executive Council, at any time to relieve the said Langalibalele and the said Malambuli, or either of them, from the operation of this Act, under such terms and condition as may seem fit.

VII. This Act shall commence and take effect from and after such date as shall be fixed by the Governor by Proclamation in the "Government Gazette," and thereupon the said Act No. 3 of 1874 shall be and is hereby repealed.

Certified correct as passed by the Legislative Council, 10th June, 1875.

(Signed)

J. A. FAIRBAIRN,

Clerk of the Council.

Certified correct as passed by the House of Assembly, 10th June, 1875.

(Signed)

JNO. NOBLE,

Clerk of House of Assembly.

Inclosure 2 in No. 32.

Attorney-General's Office, Cape Town, June 9, 1875.

IN my opinion, the Bill "to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof," contains nothing repugnant to the law of England or the Royal Instructions to the Governor of this Colony.

(Signed)

S. JACOBS, *Attorney-General.*

Report on Act No. 1 of 1875.

By an Act of the last Session of Parliament (No. 3 of 1874), provision was made for the imprisonment of the Kaffir Chiefs Langalibalele and Malambuli, who had been sentenced to imprisonment in Natal, at Robben Island; but some objections having been raised by Her Majesty's Government to this Act, the Act under report was passed to carry out the suggestions of the Right Honourable the Secretary of State for the Colonies. The circumstances under which it was introduced are fully set forth in the Preamble.

(Signed)

S. JACOBS, *Attorney-General.*

Attorney-General's Office, Cape Town, June 9, 1875.

No. 33.

The Earl of Carnarvon to Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B.

Sir,

Downing Street, July 5, 1875.

I HAVE received your despatch of the 7th of May,* inclosing copies of your Minute and those of other public officers, as showing the amount realized by the sale of the confiscated property of the people of Putili's tribe, and the steps taken to compensate them for their losses.

I desire to signify my cordial approval of the measures which have been adopted with this object; I have every hope that they may be productive of all good, and I do not doubt that, in selecting agricultural implements and sheep rather than oxen as the form in which repayment should be made, you have exercised a sound judgment. I am, however, bound to notice the loose and inaccurate manner in which the accounts called for in my despatch of the 3rd December have been kept. I should be glad to know in whose department these documents were prepared, who were the Officers concerned in the framing of them, and how far they are fairly responsible for the state in which they have been produced.

I have, &c.

(Signed) CARNARVON.

No. 34.

The Earl of Carnarvon to Governor Sir H. Barkly, G.C.M.G., K.C.B.

Sir,

Downing Street, July 15, 1875.

1 I HAVE to acknowledge the receipt of your despatch of the 4th of June,† inclosing a copy of a Bill which was passed by the Legislature of the Cape of Good Hope for the location of Langalibalele on the mainland, with a copy of the regulations made for giving effect to it.

2. I have since received your despatch of the 10th of June, forwarding a copy of an Act passed by the Parliament of the Cape, intituled "An Act to repeal the Act No. 3 of 1874, and to make other provisions in lieu thereof."

3. Her Majesty's Government concur very heartily in the objects in view, and I have, therefore, to inform you, in pursuance of the course usually, under these circumstances, followed, that Her Majesty will not be advised to exercise her power of disallowance with respect to this Act.

4. The regulations which accompany the Act seem to be fair and reasonable; and, in conveying to you my approval of them, I have to express my thanks to the Legislature of the Colony for the assistance they have rendered to Her Majesty's Government in the settlement of the difficult question how to make such arrangements for the location of the Kafir Chief as should be consistent with the requirements of justice, and the interests of the Colonies of South Africa.

I have, &c.

(Signed) CARNARVON.

No. 35.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 21.)

My Lord,

Government House, Natal, June 10, 1875.

I HAVE the honour to forward the following financial statements,‡ called for in your Lordship's despatch of 5th April last :§—

1. Statement of expenditure by Government of Natal on account of expedition against Langalibalele, as compiled from the Treasury accounts up to 31st May, 1875.

2. Statement of Receipts by Government of Natal on account of expedition against Langalibalele, as compiled from Treasury accounts up to 31st May, 1875.

3. Return of Receipts and Payments on account of Langalibalele expedition, as per Treasury accounts to 31st May, 1875.

4. The refunds to the people of Putili's tribe, as referred to in the inclosures to my despatch of 7th May, 1875, will be an addition to the expenditure which, on the 31st ultimo, amounted to 36,014 13s. 5d.

I have, &c.

(Signed) G. J. WOLSELEY.

* No. 23.

† No. 30.

‡ Return No. 3 only printed.

§ No. 6.

Inclosure in No. 35.

RETURN of Receipts and Payments on account of Langalibalele Expedition, as per Treasury Accounts to 31st May, 1875.

May 31, 1875	By RECEIPTS UP TO DATE.	£ s. d.	May 31, 1875	TO EXPENDITURE UP TO DATE.	£ s. d.	£ s. d.
	Sales of captured stock..	24,588 17 9		Purchase of stores ..	1,459 14 11	
	" other confiscations ..	936 2 3		" cattle ..	615 0 0	
	" returned stores ..	735 19 11		" horses ..	941 5 0	
	Refunds and sums recovered ..	150 16 5		Field service rations and supplies ..	615 0 11	
				Ammunition, tents, arms, and clothing ..	3,143 3 0	
				Wagons ..	400 0 0	
				Pay to volunteers and natives ..	10,055 2 5	
				Transport expenses of staff ..	1,504 0 9	
				Extra allowance to Her Majesty's forces ..	432 14 7	
				Transport, materials and stores ..	4,447 13 9	
				Medical, hospital supplies ..	126 7 6	
				Expenses of troops from Cape ..	120 12 11	
				Compensations, losses, and seizures ..	2,892 13 1	
				Mail service, native messengers ..	180 7 3	
				Charge captured cattle and stores ..	226 12 0	
				Auctioneer's charges on sales ..	1,608 0 8	
				Charge of and rations to prisoners of both tribes, including conveyance of Langalibalele to Robben Island ..	5,748 18 5	
				Expenses of trial, witnesses' expenses, and travelling expenses of Court ..	1,342 0 3	
				Board of Audit and clerical assistance ..	63 11 8	
				Miscellaneous petty expenses ..	91 14 4	
	Excess of expenditure up to date	..				36,014 13 5
	Total ..	..		Total ..	..	36,014 13 5

(Signed) JOHN P. SYMONS, Auditor.

Audit Office, Natal, June 2, 1875.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 21.)*

My Lord,

Government House, Natal, June 16, 1875.

I HAVE the honour to transmit, for your Lordship's information, a copy of a message recently received from Cetywayo, the King of the Zulus, and of my reply thereto.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 36.

Message from Cetywayo, King of the Zulus, to the Governor of Natal, sent by Sintwangu, Sidindi, Komeswepu, Umfunzi, and Gisimana; delivered June 7, 1875.

CETYWAYO has been informed that the Boers, the Amaswazi, and the Amatonga are arming against him, and that they have received the sanction of the Government of Natal for their so doing.

Cetywayo says, who has turned me out of my home? I belong to the British Government, and when I became King of the Zulus, it was the British Government that made me so.

During last year, Cetywayo says, he sent Komeswepu to this Government to propose that he should be allowed to attack the Amaswazi for certain acts of which they had been guilty. The Government declined to sanction the step, and he refrained. He has lately assembled his army, as is customary for a new Sovereign of Zulu-Land to do, but his intention was to harm no one, and he regrets to hear that it has been thought that he intended to act against the wishes of the Government of Natal, and that, in consequence, a message hostile to the Zulus has been sent to the Powers by which he is surrounded.

The Boers, he says, have their own wishes and intentions regarding his lands, and he does not yet understand what those intentions are.

Cetywayo wishes also to report that he has found it necessary to put Umkokwana to death. He did so in full remembrance of the words spoken by Mr. Shepstone at his coronation. Many people have been since then accused of wrong doing, but he has heard them in appeal, and protected many. Umkokwana he could not protect, his sins began before Panda died, and he has persisted in them ever since, and Cetywayo wishes it to be understood that he sanctioned his death with reluctance, and because he could not avoid doing so.

Cetywayo also wishes the Governor of Natal to consent to his brothers Umkungo and Sikota, now residents of Natal, going to see him, that now, since all dispute between him and them is settled, they might shake hands and wash in one stream.

Cetywayo says that although the father that begat him is dead, the father that guides and takes care of him is still living, and he objects to be turned out of his own home without full and sufficient cause.

(Signed) T. SHEPSTONE,
Secretary for Native Affairs.

Inclosure 2 in No. 36.

Reply.

THE Governor of Natal thanks Cetywayo for his message; it is always well to make inquiries before believing all that is reported of the actions of others.

The Government of Natal has had no communication with either the Boers, or the Amaswazi, or the Amatonga, on the subject of arming against anyone, or on the subject of arming at all.

It was believed and hoped that the whole country to our north was in perfect peace, until intelligence reached Natal that the Zulus were arming; and when that intelligence reached no answer could be found to the question as to what the object

of such a procedure was ; no word of explanation was sent to this Government by Cetywayo.

To-day we hear that the Boers are arming because they suspect the intentions of the Zulus, and that they have marched a large force towards the Zulu frontier, but they have given us no more information than the Zulus did, and we learn, as others learn, by accident or common report what is going on.

It was but natural that the Boers should make preparations when they heard that their neighbours the Zulus were assembling their army. No one can play with fire without making the owner of a house close by uneasy, and this is what seems to have happened ; the Zulus have been playing with fire and the Boers have seen that their house might be burnt.

The Governor of Natal regrets that Cetywayo has found it necessary to put Umkokwana to death ; he can offer no opinion as to whether he was justified in so doing or not, the responsibility must rest upon Cetywayo. The Governor is glad, however, to hear that Cetywayo decided upon this execution with a full remembrance of the words spoken by Mr. Shepstone at his installation as King of the Zulus.

By the last ship from England Her Majesty the Queen of England has sent for presentation to Cetywayo a copy of the report of his installation. This contains the laws issued and the words spoken by Mr. Shepstone on that occasion, and there and then agreed to by Cetywayo and the heads of the Zulu nation.

The Queen has sent this book handsomely ornamented to be kept by Cetywayo to remind him of the promises he made, and Her Majesty's Government have directed that, on presenting it to him, he be told that they will expect him to keep those promises.

The book has been shown to the messengers, but, as they fear the responsibility of carrying it, Bishop Schreuder (Mankanana) has been requested to take charge of it and deliver it safely to the King.

Cetywayo's request to be visited by his brothers Umkungo and Sikoto, now living in this Colony, will be conveyed to them, and no objection will be offered to their complying should they so desire.

No. 37.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B. to the Earl of Carnarvon.—
(Received July 21.)

My Lord,

Government House, Natal, June 16, 1875.

I HAVE the honour to transmit, for your Lordship's information, and for submission to Her Most Gracious Majesty, should your Lordship think fit, the inclosed address to the Queen, covering an address to Sir Benjamin Pine, relative to the proceedings of Government during the late operations against Langalibalele and his tribe.

2. The address to Sir B. Pine was transmitted to your Lordship in my despatch No. 91 of 26th April last.

I have, &c.
(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 37.

Most gracious Sovereign,

Pietermaritzburg, June 15, 1875.

UNDER date 11th June current, by direction of the Honourable the Legislative Council of your Colony of Natal, of which I am Speaker, I had the honour to forward to your Majesty an address from that body, with certain inclosures, relative to the proceedings adopted by the Natal Government in suppressing the revolt of Langalibalele and his adherents.

In addition to these documents, as member for the county of Weenen, I am requested by my constituents to inclose, for your Majesty's information, copy of an address forwarded in April last to the Right Honourable the Secretary of State, for transmission to Sir B. C. C. Pine, on his recall as Governor of this Colony.

My constituents are anxious that it should be brought to personal cognizance

of your most gracious Majesty that various important features in the conduct of Langalibalele and others were unfortunately not sifted, not even alluded to, in the trial or inquiry made by this Government, important among which are those referred to in the clauses of this address now inclosed, numbered respectively 14, 15, 16, and 17, and other clauses marked.

I am to state it is matter of regret to the inhabitants of Weenen county, who have become aware of the deep personal interest taken by your Majesty in your Colony of Natal, that our local Government should have so dealt with this case.

This may have been from an impression that it was at that time inexpedient to attempt to prove the complicity of other tribes in this Colony and beyond it in the contumacy of Langalibalele and his people, seeing that, with the exception of Putili, there was no overt act on the part of these tribes to complain of, but only their guilty concealment from this Government of the treasonable proposals made to them—a concealment which, by their own law, because it deceives the Supreme Chief and endangers the peace of the country, is punishable by death.

They pray me to represent to your most gracious Majesty that the result of this omission by those officers of this Government who carried on the trial or inquiry above referred to, has been that your Majesty and your Majesty's Principal Secretary of State have been under the necessity of deciding on this matter on incomplete imperfect data as to the meaning and intentions of Langalibalele and his adherents, and that your Majesty has not been informed of the narrow escape your Colony of Natal has had from serious disaster.

The facts set forth in the address herewith inclosed can, if your Majesty should still deem it expedient, be verified by the evidence both of the black and the white races in this Colony.

My constituents pray me to convey to your Majesty a heartfelt expression of their loyalty and affection to your Majesty's person and Government, and the assurance that, in all matters connected with the native races, their conduct collectively and individually has been, and will be, in accordance with those great principles of justice and humanity which your Majesty and your Majesty's Government have always advocated and upheld.

The above assurances of affection and loyalty to your Majesty's person and Government are shared in by your Majesty's humble and loyal subject,

(Signed) **WALTER MAC FARLANE,**
Member for the County of Weenen.

To Her Most Gracious Majesty Queen Victoria.

Inclosure 2 in No. 37.

My dear Mr. Speaker,

Fernhurst, April 12, 1875.

IN accordance with Resolution passed at the public meeting of the inhabitants of this county, held at Estcourt last month, to address Sir B. C. C. Pine, on his recall from the Government of this Colony, I now inclose the address, signed by the inhabitants, and request that you will transmit the same to the Right Honourable the Secretary of State for the Colonies, for presentation at home to our late Governor.

2. I have also to bring to your notice, with reference to paragraph marked No. 6, that, through some omission, one important fact is not set down, viz., that the approaches to the caves in the fastnesses therein referred to as stored with grain, were also fortified by the erection of strong stone walls in front.

I am, &c.

(Signed) **ROBT. MELLERSH,** *Chairman.*

To the Hon. the Speaker, Walter Mac Farlane, Esq.,
Member for the County of Weenen.

Inclosure 3 in No. 37.

Address to his Excellency Sir Benjamin C. C. Pine, K.C.M.G., Lieutenant-Governor of Natal, &c., &c.

Sir,

Estcourt, Weenen County, February 1875.

WE, the Undersigned, inhabitants of the County of Weenen, Natal, have learned with deep regret that you have been re-called from your Government, as believed

by the native and European races, on account of the prompt measures which you used in preventing the spread and punishing the insurrection of Langelibalele and his tribe.

It must be matter of satisfaction to your Excellency to find that your conduct in these difficult circumstances meets with the warm and all but universal approval of the inhabitants of Natal, the Cape Colony, the Free State, and the Transvaal, who, from their intimate knowledge of Kafir character and Kafir affairs, are the best qualified to form correct opinions on the true nature of such insurrectionary movements, on the necessity of immediate action to prevent loss of life and property, and on the danger of dallying with such proceedings.

Believing this, we, the Undersigned, inhabitants of the County of Weenen, the scene of this revolt against lawful authority, feel specially called upon to come forward to assure your Excellency of our sincere gratitude for the responsibility you took upon yourself, and for the successful manner in which you met and put down this revolt, with the assistance of the Cape authorities, before it had time to become general.

We look upon your successful settlement of this long-intended outbreak as having secured the peace of this Colony. From our knowledge of Kafir character, we can say that delay or vacillation on the part of your Excellency would have been fraught with disaster, have led to other tribes becoming involved, and so increased the difficulty of putting down the rebellion, as to have rendered large assistance from Her Majesty's Government absolutely essential.

Where your conduct of affairs deserved on all hands the highest commendation, it is to us matter of profound regret to find that the responsibility you undertook, alike in the interest of the crown, and of both races in this Colony, and the successful issue, without cost to the Imperial Treasury, to which you brought these necessary operations, have been so little understood and appreciated by the Home Authorities. We feel assured that many, who, in ignorance of our position and the facts of the case, have been even induced to believe in our enslaving women and children, and in the infliction of a cruelty and injustice which never took place, will at some future time admit their own misconceptions, and do justice to your Excellency and ourselves.

Error may have been committed by your Excellency's Government in not putting on evidence at the trial of these rebels many important facts which would have shown more completely to Her Majesty's Ministers the true character of the circumstances and the population you had to deal with in this Colony on your arrival here, a state of things which we have long been aware of, and which we saw must, sooner or later, result in anarchy and confusion.

With a native policy, said to have been dictated by the Imperial Government, possessed of deficient information, and carried out against the remonstrances and better knowledge of the Legislative Council and the people, native revolt was but a question of time.

Probably your Excellency was so clearly convinced of the nature and meaning of Langelibalele and Putili's conduct, and of the extent of their criminality, that you took it for granted that a long continuance of criminal action, which could only have one meaning, and lead only to one result, would be apparent to people at a distance, as it was to those on the spot, and that your Report that you found things so would be accepted as correct. The result shows that it was not so, and that the absence of such evidence has given room to challenge the fairness of your decision, and to create the opinion among those ignorant of all the circumstances that the punishment of the rebels has been greater than they deserved.

We allude to such facts, for example, as the following, showing the real character and conduct of these Chiefs and their tribes:—

1. That on the flight of Langelibalele and his tribe, accompanied by his relative, Putili, into this Colony in 1849, he arbitrarily settled himself in a location which, by its proximity to the Power he fled from, was an invitation to invasion; and on being remonstrated with by the Government, refused to remove, and did not, in fact, remove, until compelled to do so by an armed force sent against him by this Government.

2. The warning given to Government by the magistrate of this county several years ago, that the conduct of Langelibalele and his people caused him increasing uneasiness and anxiety, and that if disturbance to the public peace occurred in Weenen County, he had reason to believe that these people would be deeply concerned in it.

3. This Chief's conduct at the meeting at Estcourt in 1869, with reference to his wholesale evasion of the Marriage Law, and defrauding Government of the fees due under it—a law which he pretended not to understand, although he was one of those who had asked for it, in preference to an increase of the annual hut-tax—conduct which compelled the Secretary for Native Affairs, in the hearing of the whole meeting, including messengers from other tribes who attended to see how the matter would end, to warn him and his counsellors that the contumacy he habitually displayed was such that, if persisted in, would infallibly draw upon himself and his tribe severe censure and condign punishment from the British Government.

4. The meetings of Langalibalele and his people in their location, where the propriety of obeying the orders of Government was discussed, at which the old men counselled obedience to Government, while Langalibalele and the young men resolved to disobey.

5. The training and armed drills of the men of the tribe, and their practising in their location with fire-arms, of which they were illegally possessed.

6. The storing of the fastnesses in the mountains behind their location with grain, indicative of preparation for war.

7. The sprinkling or anointing of the men preparatory to warlike or predatory operations some weeks after the feast, and sprinkling for the First-fruits, which took place at the usual time.

8. The threats of some of the tribe to settlers in this county, and such statements as that they need no longer cultivate the soil, because before long Langalibalele would expel the white people, and take possession of their property.

9. The finding of large numbers of stolen horses and cattle in their location, in many cases even marked with white men's brands.

10. The stoppage by the Free State Authorities of large parties of Langalibalele's people marching armed through the Free State, to assist their tribe in Natal.

11. The large meeting with Putili in his location in the winter of 1873, to advise him to arm his tribe, "to be prepared for the time that was coming," and to send his young men to the Diamond Fields as labourers, to buy guns there, which they could introduce into their location under cloud of night; that he (Langalibalele) was doing so with his young men.

12. The withdrawal of members of Langalibalele's tribe who had refused to join in the revolt into places of concealment, and the warnings some of the old men gave to the white inhabitants to be on their guard, and to remove from their homesteads with their live stock, because now that Langalibalele was safe himself over the mountain with most of his cattle and horses, he would send back commandos of his young men to slay, steal, and burn, as he had done in former days on his flight from the Zulu Country into this Colony.

13. Thefts of horses and cattle at the time of the flight over the mountain from settlers in the neighbourhood of the location, and thereafter the forcing open and robbing of homesteads.

14. In addition to a message sent to loyal members of his tribe, the messages sent to some small tribes threatening them also with destruction if they refused to assist him.

15. The messages sent to larger tribes, asking them to join in defying the white man's Government, such, for example, as to that of Kukulele, who at one time agreed to assist, but, on the advice of his uncle and some of the old men, afterwards refused to do so.

16. The messages and intrigues with the different tribes beyond the boundary to the south and west, some of which were discovered and communicated to your Government by the authorities of the Cape Colony months previous to the commencement of hostilities here. The treasonable proceedings referred to also in the Report of Mr. Orpen, the Chief Magistrate, Tsitsa, dated March, 1874.

17. The messages and intrigues with Cetywayo, the King of the Zulus, on our northern and eastern boundaries.

18. The refusal of Putili and his tribe to assist Government with commissariat cattle, although bound by law to do so.

19. Their harbouring of Langalibalele's cattle and people in large numbers.

20. Their deceiving their magistrate by sending to complain that their conduct was misrepresented to Government, and stating that they neither had any of Langalibalele's cattle nor people in their location, nor had had any friendly communications with them.

21. The finding some of Langalibalele's people, and some of his family, large

numbers of his cattle, and upwards of 200 stand of arms illegally in their possession, in their location, when surrounded and the tribe disarmed.

22. That many of the young men of Putili's tribe on this occasion were absent from the location; that their absence was not accounted for by the old men when enquired into; that some were afterwards seen herding Langalibalele's cattle, and some were found in the ranks of his forces when they surrendered in the Basuto country.

23. That when, as a last attempt to bring these people back to their duty, proclamation was made desiring all who were loyal to Government to come out and separate themselves from the rebels, few or none did so, but, determined to resist the Government, they deserted the women and children of the tribe, so as not to be encumbered with their presence, and left them in the hands of the local Government, to be protected and fed at the expense of the Colony.

We are well aware of the persistent and successful action of these people in concealing all such matters from their magistrate and the Government at the time of their occurrence, and of the absence of a system of detective police in this Colony. We are also aware that in similar circumstances a course of concealment was often successfully practised in former years against the Government of the Cape Colony. But still, after the revolt was put down, and before the trial of the prisoners, most, if not all, of these facts became gradually known to the public, and began to be talked of.

We are of opinion that if such facts as the above, now well known, had upon the trial been carefully sifted, patiently inquired into, and put on record, the difficulties and dangers your Excellency found existing in this Colony on your arrival would have been apparent. It would have been seen that these were not the result of a sudden, unpremeditated impulse, but of a long-contemplated attempt to set the authority of Government at defiance, with the assistance of other tribes. Your position, and the necessity of your action, would have been better understood by the Home Government, and we should have been spared the humiliation of seeing a portion of the press and the people of our mother country condemning unheard their fellow subjects in this Colony, on the superficial and distorted evidence presented to them from various extraneous and partially informed sources.

With scarcely one exception, it has been assumed by the English press that the Kafir population of Natal is a native one, possessed of birthrights to the soil and British protection; whereas the fact and the truth is that the vast bulk of the Kafirs inhabiting the Colony, and universally, with but one exception, those who have hitherto been a source of trouble to the local authorities, are refugees from neighbouring tribes who have settled in Natal, induced thereto by the justice and general kindness of the colonists to the native.

We call attention to the remarkable fact that in a country where, as is well known, religious differences have prevailed with more than ordinary violence, Ministers of the Gospel of all denominations, Episcopalian, Presbyterian, Wesleyan, Independent, Baptist, and Lutheran, and of different nationalities, have combined to place solemnly upon record their approval of the necessity, moderation, justice, and humanity of your proceedings.

Among these reverend gentlemen will be found the names of upwards of twenty men who have for many years conducted large missionary undertakings in the midst of the natives, speaking their language, consulted by them, thoroughly understanding their every act and symbol, and who have on all occasions hitherto shown themselves to be the friends and protectors of the natives.

When we consider the professional and social position, and the number of these gentlemen, it is a matter of some surprise to us that testimony of such apparent and real value should not have been accepted in preference to the questionable evidence produced at home, and which it was impossible for the colonists at that time to reject or deny.

It is scarcely possible within the limits of this address to expose in minute detail calumnies circulated against yourself and the Colony; but we trust we have said enough to justify ourselves, not only in our expressions of confidence and gratitude towards your Excellency, and in our resolve to share, so far as that is possible, the responsibilities you have undertaken on behalf of this Colony and of the British Empire, of which it forms a portion, but also to induce those who may hitherto have been led by *ex parte* statements to form crude and hasty conclusions, to re-consider the grounds of their verdict against colonists who are as true to the instincts and traditions of Englishmen as are the men who remain in England.

We deeply regret that your Excellency's term of office in Natal, to which we all looked forward with such bright anticipations, should have proved a season fraught with so much of anxiety, trouble, and disappointment, and that your actions have met in the mother country with no other return than misrepresentation and misconstruction.

Bearing in mind the many appropriate and valuable measures your Excellency introduced during your former administration of this country, and likewise since you resumed its Government, we look upon your Excellency's recall as singularly inopportune; we consider it most unfortunate in the interests of both races inhabiting this Colony, as occurring immediately after the release of Langalibalele, universally regarded by the natives as an evidence of weakness, and an encouragement to armed resistance to the Local Government, and by the European population as a total disregard of the interests of the Colony, and a condemnation of acts essentially necessary for their preservation.

We sincerely trust that you will find at home that complete restoration to perfect health, and that rest, which have been denied you in this country.

Your Excellency cannot have failed to observe that in all the neighbouring States possessing the right of self-government, no such complications with natives as have here arisen have occurred, or are likely ever to occur; and this is simply because they are governed on rational principles by those who live amongst and thoroughly understand them. The way in which they are governed has lately been lauded by the greatest living historian of the day. It would appear that the simplest solution of the difficulties alleged to be caused by us to the Imperial Government, and the best guarantee against future ones, would be an independence far greater than we now possess, an independence to which we feel we have every right, and which we must possess before we can confederate with neighbouring States.

We have, &c.

(Signed) WALTER MACFARLANE, *Member for Weenen County.*
(And by 224 landowners and other inhabitants
of the county.)

To his Excellency Sir Benjamin Chilley Campbell Pine, K.C.M.G.,
Lieutenant-Governor of Natal.

No. 38.

The Earl of Carnarvon to the Officer administering the Government, Natal.

Sir,

Downing Street, July 27, 1875.

I HAVE received your despatch of the 16th of June,* forwarding an address to Her Majesty from the Legislative Council of Natal on the subject of Langalibalele and his tribe.

This Address, and the Report of the Committee of the Council to which it refers, have been laid before Her Majesty.

The Address and the Report proceed on the assumption that, in forming an opinion on this case, Her Majesty's Government had not adequate information before them. Whilst I do not think it necessary or desirable to enter upon a re-discussion of a question which I trust is now closed, I may state that I did not form my opinion until I had received and considered the fullest explanations which the Government whose acts are questioned desired to place before me, and in considering the case I had the advantage of personal communication with an officer who was specially deputed to represent the Government of Natal before me, and who, from his knowledge, ability, and experience, was perhaps better qualified than any other to discharge the duty which was confided to him. I fail to find in the present documents the explanations which are promised in the Address to Her Majesty, or indeed any evidence so specific or conclusive as to affect the opinion which, after the most anxious consideration, Her Majesty's Government formed upon this case.

I have, &c.

(Signed) CARNARVON.

No. 39.

The Earl of Carnarvon to Lieutenant-Governor Sir H. Bulwer, K.C.M.G.

Sir,

Downing Street, July 27, 1875.

I HAVE received Sir Garnet Wolseley's despatch of the 10th June,* forwarding the financial returns connected with the operations against Langalibalele, which I requested him to furnish in my despatch of the 15th April.

As the refunds proposed to be made to the Putini tribe, in addition to the expenditure now reported, seems likely to raise the charge against Natal funds to nearly 50,000*l.*, besides the heavy expenses the Colony will have to meet in respect of native policy, I purposely abstain from giving you any instructions at present on the question of making any compensation to the Amahlubi; but I shall be glad if you will report to me before long what course it is proposed to adopt with respect to this tribe.

I have, &c.

(Signed) CARNARVON.

No. 40.

The Earl of Carnarvon to the Officer administering the Government, Natal.

Sir,

Downing Street, July 27, 1875.

I HAVE received your despatch of the 16th of June,† forwarding an Address to the Queen from Mr. Walter MacFarlane, bringing to Her Majesty's notice one from his constituents in Weenan County addressed to Sir B. Pine.

You will inform Mr. MacFarlane that his Address, and also that of his constituents, to Sir B. Pine, have been laid before Her Majesty.

In my previous despatch of this date,‡ replying to the Address from the Legislative Council, I have explained that I do not see any reason to share the views which are adopted by certain persons in Natal respecting the acts of Langalibalele and the Putili tribe; and as there is apparently no prospect of arriving at an agreement of opinion on several points, there is, perhaps, no advantage in continuing the discussion of them.

I have, &c.

(Signed) CARNARVON.

No. 41.

*Major-General Sir G. J. Wolseley, G.C.M.G., K.C.B., to the Earl of Carnarvon.—
(Received July 28.)*

My Lord,

Government House, Natal, June 16, 1875.

DURING the recent Session, an address to Her Most Gracious Majesty the Queen was adopted by the Legislative Council, and has been forwarded to me with a view to its transmission to your Lordship.

2. I therefore have the honour to inclose the Address above mentioned, with its annexures, viz., resolutions adopted on the 2nd instant relative to the proceedings adopted by Government in suppressing the rebellion of Langalibalele and his tribe, and the Report of a Select Committee of the Council on the same subject.

3. If your Lordship should think fit to do so, the Council are desirous that the Address should be laid before Her Majesty.

I have, &c.

(Signed) G. J. WOLSELEY.

Inclosure 1 in No. 41.

To Her Most Gracious Majesty Queen Victoria.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Speaker and members of the Legislative Council of Natal, in Council assembled, beg to approach your Majesty with the assurance of our loyal attachment to your person and Crown.

* No. 35.

† No. 37.

‡ No. 38.

Prizing as we do most highly, in common with all your Majesty's loyal subjects, the good opinion of our most gracious Sovereign, we humbly pray to lay before your Majesty certain resolutions unanimously passed by the elective Members of the House, together with a Report of the Select Committee upon which these resolutions are founded. Our object in thus transmitting these documents to your Majesty is to explain certain circumstances connected with the late rebellion of the Chief Langalibalele, which have been misunderstood in England, and which there is reason to fear may have prejudiced the loyal colonists of Natal in the mind of their beloved Sovereign.

We beg further to express our thorough appreciation of your Majesty's solicitude for the interests of the people of this Colony, as shown in the appointment of so distinguished a servant of your Majesty as his Excellency Sir Garnet Joseph Wolseley to administer for a period the Government of this Colony, with a view of examining into its circumstances and into the condition of its native population. We cannot refrain from expressing our conviction that the result of his Excellency's observations and inquiries will be substantially in accordance with the statements set forth in the documents we now venture in all loyalty to submit to your Majesty's gracious consideration.

By Resolution of the Legislative Council this 3rd day of June, 1875.

(Signed) WALTER MAC FARLANE, *Speaker*.

Inclosure 2 in No. 41.

Resolutions passed by the Legislative Council of Natal, on June 2nd, 1875, relative to the Proceedings adopted by Government in Suppressing the Rebellion of Langalibalele and his Tribe.

1. THIS Council is of opinion, for the reasons set forth in the Report of the Select Committee appointed to consider the Resolution marked No. 2 on the Notice Paper of May 31, 1875, that the thanks of this House are due to Sir B. C. C. Pine, for the steps he took in suppressing the rebellion of Langalibalele and his tribe:—

- (a.) Because well grounded doubts and suspicions had been long entertained respecting that Chief and his tribe.
- (b.) Because that Chief did intentionally defy the Government, and contumaciously refuse to attend its summonses, and only yielded to fear, in leaving the Colony, when he found how serious were likely to be the consequences of his actions.
- (c.) That the disturbances in question did grow up to the dimensions of rebellion, and at the time of Sir Benjamin Pine's arrival in the Colony could no longer be dealt with as a mere police case.
- (d.) That, notwithstanding the technical peculiarities of the trial, inseparable from his position as a native Chief, and from the conditions of native law under which he held his powers, and had to be tried, substantial justice was done to the Chief, and a lenient sentence inflicted upon him and upon his tribe.
- (e.) That any measure short of transportation to some place far removed from the frontiers of the Colony would have been fraught with danger to the peace of the Colony and the future good government of the native population.

2. That this Council is of opinion that the interference of any private individual, holding no civil or legal right or position qualifying him so to do, is calculated, as experience has proved in this case, to cause serious misunderstanding as to the real facts, to weaken the authority of Government over the natives, and indirectly to endanger the peace of the country, as well as to prejudice harmonious relations between the white and black races.

3. That the thanks of this House are due to the Government of the Cape Colony for the strong and persistent support they have afforded throughout these events to the Government of this Colony, and for the earnest desire they have shown to provide a place of safe-keeping for the rebel Chief and his son, and to the nobl

Lords who so ably vindicated the cause of this Government and Colony in the House of Lords.

(Signed) **WALTER MAC FARLANE**, *Speaker*.

Inclosure 3 in No. 41.

Third Session, Seventh Council.—1875.

L. C.—No. 6.

THE following Report of the Select Committee appointed to consider certain resolutions on the subject of the proceedings of the Government of this Colony during the rebellion of Langalibalele is published for general information.

By order of the Legislative Council,
(Signed) **THOMAS FOSTER**, *Clerk*.

Legislative Council Office, Natal, June 2, 1875.

Report of the Select Committee appointed to consider certain Resolutions, standing as No. 2 on the Notice Paper of May 31, 1875.

The questions connected with the rebellion of Langalibalele, and the action of the Government in dealing therewith, are so varied and complicated, that your Committee have found it impossible, during the time at their disposal, to do more than place on record statements of fact and expressions of opinions which are borne out by the knowledge and experience of the colonists at large.

Your Committee regret that the despatches written by Lord Carnarvon upon this subject, and especially his speech in the House of Lords on April 12th, indicate a very inadequate comprehension on his Lordship's part of the real circumstances of the case, whether as regards the offences of Langalibalele and his tribe or of the measures taken to punish the delinquents. They, therefore, consider it due to the late Lieutenant-Governor, Sir Benjamin Pine, to his Government, and to the Colony, to give a concise statement of facts as known to and accepted by the Council and the people of the Colony.

1. It is well known that the Chief Langalibalele, by his refractory conduct and repeated acts of disobedience to the Resident Magistrate, who had jurisdiction over him and his tribe, had given such great offence that the then Lieutenant-Governor, Sir B. C. C. Pine, was in duty bound to summon him to appear before him, as the Supreme Chief over the native population, to give an account of himself and of his conduct.

2. It is known also that, on being repeatedly summoned, the said Chief did not obey, but excused himself under the false pretences of illness.

3. Such conduct is in the eyes of the natives, and by their laws and customs, one of the gravest nature, amounting in fact to mutiny or revolt, and is by native law punishable with death.

4. The Lieutenant-Governor had, therefore, no alternative open to him but to take action in the matter, and had he failed to do so, such neglect would have jeopardized all respect for and authority of the Government, as well as the prestige enjoyed by the Government amongst the natives of the Colony and of the surrounding territories.

5. It was known that Langalibalele had prepared for hostilities, having called in and armed his numerous tribe, and stimulated them to stand by and defend him; that he had threatened with vengeance those members of his own tribe who had shown or might show any inclination to side with the Government; and that he had also solicited support and co-operation from other Chiefs, both within and beyond the Colony.

6. That, under such circumstances, an attempt to apprehend such a powerful Chief—regarded by natives generally as a magician or witch doctor, possessing a superhuman power of controlling events—by means of a few policemen, or any other small party of armed men, would have been, except in the earliest stages of the difficult, an act of inexcusable folly, and would only have provoked resistance, as was clearly proved by what took place at Bushman's Pass. But, even supposing it were not so, the affair had ceased to be a police case before Sir Benjamin Pine came to the Colony, and had before the troops left Pietermaritzburg grown into a

treasonable conspiracy, a fact clearly proved by documents published by the Cape Government.

7. Had such an attempt been made in the present case and failed, as it might have done, the defeat of the arresting party would have intoxicated the tribe with a sense of victory, and led to the most deplorable consequences throughout a large portion of the Colony, at that time wholly unprepared for action.

8. Under these circumstances, therefore, the Lieutenant-Governor, having regard for the safety of the colonists—surrounded on all sides as they were by numerous and warlike native tribes—acted wisely and with due caution in ordering out a force sufficiently strong to overawe and subdue the refractory tribes before they had time to execute any plan, or complete any combination which might and would have endangered the peace of the whole Colony.

9. Finding himself forestalled, and seeing that resistance would not avail him, the Chief withdrew, as has since been ascertained, with a few followers and members of his own family, and, having thus put his own person in safety, he left the tribe under the charge of his Chief Indunas, who passed on the cattle in detachments attended by armed parties of the tribe, leaving the women and children and old men behind them in the location, intending, as subsequent evidence has proved, to take up his position in the rugged and inaccessible part of the mountains, as a base of operations, whence he might, from time to time, send out bands of marauders into the Colony, and communicate with the wives and aged people left behind.

10. An attempt made by a small armed party of volunteers under Major Durnford—whose strict orders, humanely conceived, were not to fire until fired upon, and who met the last detachment of men and cattle, in command of the Chief Military Induna Mabuhle, at the top of the Pass—to persuade the latter to return and desist from hostilities, signally failed. On finding themselves surrounded by the natives, who had taken possession of the rocks commanding the position, and whose gestures, taunts, and threats were full of menace, giving every demonstration of fight, this party of volunteers were ordered to retreat, and were in the act of doing so, when they were most unprovokedly fired upon and pursued, five of their number being shot, and stabbed with assegais, and their bodies barbarously mutilated.

11. After this outrage had occurred, it became the bounden duty of the Lieutenant-Governor to uphold the authority of the Crown by causing the Chief and his men to be pursued, so as either to scatter or apprehend them. A pursuing expedition, composed of white volunteers and loyal natives, was therefore organized, and led over the mountains, through a wild and desolate country never before explored by a white man. This operation, combined with the strong and ready assistance of the Cape Government, succeeded so well that the Chief and some of his followers were driven into Basutoland, where they were apprehended by the Cape authorities, handed over to the Natal party, and brought to Maritzburg, where they were tried and sentenced to imprisonment.

12. The conduct of the Chief and his tribe, thus briefly described, according to native customs and rule, amounted to rebellion, and amongst the natives themselves was always punished by death, confiscation of property, and expulsion of the guilty tribe.

13. The sentences, therefore, passed upon the Chief and some of his followers were as lenient as was compatible with the re-establishment of peace and quietness throughout the Colony. Less severe treatment would have lessened the fear and respect in which the Government ought to be held by the natives, and the result has proved the wisdom and true humanity of the course taken by the local authorities.

14. The removal of the families, deserted and left to themselves by the tribe, being an act of political necessity, the only humane course open to the Government at the time was to place them among approved white settlers and loyal tribes, where they could be fed and sheltered. This was merely done, after the Government had been at the cost of maintaining them for a considerable period, in order to make the necessary provision for their maintenance and support until the permanent disposition of them could be decided.

15. The tribe of Putini had been mixed up with the tribe of Langalibalele in their acts of hostility; they had armed themselves with guns in contravention of the law; and they were known to have sympathised with, and assisted their neighbours.

16. Had these locations not been cleared of the remaining natives, it would have been necessary to keep a strong force permanently on the spot to maintain order and to protect the country from the raids of robbers and murderers lurking amidst the fastnesses and caves of the Kahlamba mountains. This necessity has subsequently been fully proved by such acts as the plundering of homesteads, the murderous outrage on the Messrs. Gray, and the daring attempt to stab the Acting Resident Magistrate of Weenen County at his own door. Hence arose the necessity to punish and disarm them, and to remove them also from the location.

17. For these reasons your Committee are of opinion that Sir Benjamin Pine and his Government deserved the thanks of the Council and of the Colony at large for the promptness of their action in suppressing a rebellion which otherwise might and, in the opinion of your Committee, would have rapidly spread, and brought upon the Colony most deplorable losses and difficulties, and have subjected the Lieutenant-Governor to the common blame and condemnation of the suffering Colonists, the loyal natives, and of the Government and people of England, all of whom would have charged him with having caused such disasters by his want of firmness, promptitude, and foresight.

18. Your Committee, therefore, as deputed by those whose local knowledge and residence best qualify them to judge of the true state of things, have seen with deep regret how greatly the acts of the Government, on the one hand, and of the refractory tribes on the other, have been misrepresented in Great Britain, and how seriously the Lieutenant-Governor, who deserves the gratitude and thanks of the whole Colony, has been visited with the displeasure of the Imperial Government, and with the opprobrium of a considerable portion of the British nation.

19. Your Committee believe that these untoward and uncalled-for results, caused by the premature action of the Home Government, must have lamentably lowered the local Government, and the Lieutenant-Governor in particular, in the estimation of the natives, and they fear that, when opportunities occur, acts of disobedience and open resistance may be more frequent. Nor can it be denied that the white colonists and the loyal natives have been so disheartened, and that their confidence in Government has been so much shaken, that in future times of danger they may only partially respond to the call of their Governor, and that many may seek safety as best they can. The disastrous consequences of such a state of things cannot be over-estimated.

20. It must not be lost sight of that the measures taken by the Lieutenant-Governor were carried out by means only of such scanty military and other resources as the Colony at the time afforded, and that their cost was borne exclusively by the Colonial revenue. When the vast sums expended by the Imperial Government in times past in putting down insurrections, disturbances, and risings on the Cape frontier and in other parts of this continent are remembered, this fact is surely well deserving of some consideration.

21. The trial of Langelibalele and his people according to native law was a necessity of the case, and the technical peculiarities upon which stress has been laid we are satisfied, from a sincere desire to reconcile the asperities of that system with English notions of moderation and justice. Your Committee submit, however, that the Lieutenant-Governor, as Supreme Chief, had unlimited power to order the trial as to him might seem fit, and they share the opinion which is, with few exceptions, held throughout South Africa, alike by Europeans and natives, that the sentence as carried out was essentially lenient and just.

22. Your Committee regret that throughout both the despatches and the speech of Lord Carnarvon, there are many evidences of erroneous information which prove that his Lordship has based his opinion upon a general misconception of the real facts of the case. This unfortunate fact shows how difficult it is for a distant observer to form a sound and accurate judgment upon events involving so many complex considerations, and regarding which the experience and local knowledge of Colonists is too often set aside as unworthy of weight. Your Committee, however, gladly recognize the earnestness of Lord Carnarvon's desire to do justice to the Colonists, as well as to the natives, a desire which he has now indicated in an emphatic manner by sending out on a mission of enquiry and observation so eminent an Administrator as Major-General Sir Garnet Wolseley. They regret that such an inquiry was not instituted before the condemnation of the Government and the Colony was pronounced, and that the privately circulated documents which have been permitted to guide the Home Government and public opinion to the

harsh conclusions that have been formed, have not been placed within the reach of either the Council or the Colony.

(Signed)

JAMES R. SAUNDERS, *Chairman.*

No. 42.

Colonial Office to President Burgers.

Sir,

Downing Street, July 28, 1875.

I AM directed by the Earl of Carnarvon to transmit to you, for your information, a copy of a despatch from the Administrator of the Government of Natal,* inclosing a copy of a message from Cetywayo, the King of the Zulus, with a copy of the reply which Sir G. Wolseley returned to it.

I am, &c.

(Signed)

ROBERT G. W. HERBERT.

No. 43.

The Earl of Carnarvon to Lieutenant-Governor Sir H. Bulwer, K.C.M.G.

Sir,

Downing Street, July 31, 1875.

I HAVE to acknowledge the receipt of Sir Garnet Wolseley's despatch of the 16th June,* inclosing a copy of a message which he had received from Cetywayo, the King of the Zulus, and a copy of his reply.

I have to express my approval of the terms of the reply.

I have, &c.

(Signed)

CARNARVON.

No. 44.

Mr. Burgers to Colonial Office.

Sir,

Brodick, Arran, August 4, 1875.

I BEG to acknowledge receipt of your letter of the 28th ultimo,† with copy of a despatch received by the Earl of Carnarvon from the Government of Natal, inclosing a message from Cetywayo, the Zulu King, with Sir Garnet Wolseley's reply.

You will oblige me if you will convey to the Earl of Carnarvon my best thanks for his Lordship's attention.

It will interest his Lordship to know the facts of the case, as regards the reported arming in the South African Republic.

The Government, on hearing that Cetywayo, in conjunction with Secucune, was preparing to attack the Amazwasis, judged it advisable to despatch a small force to the frontier, in order to protect the Amazwasis.

I am glad to add that by my late letters from Pretoria, it would appear that this timely action on our part has been successful.

I have, &c.

(Signed)

THOS. BURGERS.

CORRESPONDENCE relating to the Colo-
nies and States of South Africa.

PART II.
NATAL.

(In continuation of C. 1187 of April 1875.)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. August 6, 1875.*

PAPERS

RELATING TO

HER MAJESTY'S POSSESSIONS

IN

WEST AFRICA.

SIERRA LEONE AND GOLD COAST COLONY, INCLUDING LAGOS.



Presented to both Houses of Parliament by Command of Her Majesty.

August 6, 1875.

LONDON:
PRINTED BY HARRISON AND SONS,
FOR HER MAJESTY'S STATIONERY OFFICE.

1876.

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PART I.

SIERRA LEONE.

PART I.

SIERRA LEONE.

No. 1.

The Earl of Kimberley to Governor Berkeley, C.M.G.

Sir,

Downing Street, August 4, 1873.

MY attention has recently been called to the condition of the settlement at British Sherbro.

It has been stated to me that the Settlement has been much neglected, and that, although large sums have been drawn from it, to the benefit of the revenues of Sierra Leone, nothing has been spent in the improvement of the Settlement itself. I am also informed that further and larger stipends to the native chiefs in the vicinity are desirable.

I have to request that you will take an early opportunity of yourself inquiring into the condition of the settlement, and report to me generally upon it, and the means by which it may be improved.

I have, &c.
(Signed) KIMBERLEY.

No. 2.

S. A. Stonewehr, Esq., to Colonial Office.

My Lord,

14, Cook Street, Liverpool, November 14, 1873.

I HAVE had already the honour in the earlier part of this year to address your Lordship on several matters relating to British Sherbro, and I now respectfully ask leave to draw your Lordship's attention to the very great necessity there exists for granting the merchants trading in that place bonded warehouse accommodation, upon the same or similar terms on which facilities for bonding goods liable to duty are granted to merchants at Freetown, Sierra Leone.

In the course of the month of August, 1872, at the time when the duty on tobacco and spirits was considerably raised at Sierra Leone, and when the time granted for the payment of such duties was reduced from six to three months, I pointed out to Governor Hennessey, the great need there existed for establishing bonded warehouses at Sherbro, and was promised that such should be granted to merchants at that place. In the course of the same year, I memorialized Governor Hennessey to grant me a bonded warehouse at Sherbro on the same terms as they are granted to merchants at Freetown, Sierra Leone, and that I was prepared to submit a suitable building of mine at Victoria, British Sherbro, to the inspection of the Customs authorities, the same on approval to be devoted to the purpose of a bonded warehouse. This offer of mine was declined, and I was at the same time informed that the Government intended building its own bonded warehouse at Sherbro, and was only awaiting the return of Mr. Jenkins, the Colonial Engineer, to commence the erection of same. Mr. Jenkins returned to Sierra Leone in November last;

and as, in January of the present year nothing had been done towards erecting any bonded warehouse, I then offered, in writing, to Governor Hennessey, to rent the Government the buildings on the Company of African Merchants' place at Bendoo, British Sherbro, of which I had become owner, or such of the buildings as they might require for the purpose of a bonded warehouse, pending the erection of the warehouse to be built by Mr. Jenkins. Soon after making this offer, I left Sierra Leone for this country, but no reply has reached me or my office at Sierra Leone to the date of the last advices from the coast.

In my late advices from my agent at Sherbro, I learn that no steps are being taken, to his knowledge, for the erection of a bonded warehouse at Sherbro, and that my business is suffering greatly in consequence of the want of bonded warehouse accommodation there, and I have hence taken the liberty of addressing your Lordship on the subject.

I have abstained in this letter from pointing out to your Lordship the various reasons which make it necessary for merchants in British Sherbro being afforded facilities for bonding there goods liable to duty, but I am prepared to supply your Lordship with such reasons if same should be required.

I have, &c.
(Signed) S. A. STONEWEHR.

No. 3.

Colonial Office to S. A. Stoneweher, Esq.

Sir,

Downing Street, November 24, 1873.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 14th instant,* respecting the want of bonded warehouse accommodation at British Sherbro, and I am to acquaint you that a copy of it will be forwarded to the Governor of Sierra Leone for his report.

I am, &c.
(Signed) R. H. MEADE.

No. 4.

The Earl of Kimberley to Governor Berkeley, C.M.G.

Sir,

Downing Street, November 24, 1873.

I TRANSMIT to you herewith, for your report, a copy of a letter from Mr. Stoneweher,* calling attention to the want of bonded warehouse accommodation at British Sherbro.

No information has reached this Department respecting the correspondence with Mr. Pope Hennessey alluded to by Mr. Stoneweher, or the contemplated erection of a Government bonded warehouse at British Sherbro.

I have, &c.
(Signed) KIMBERLEY.

No. 5.

The Earl of Kimberley to Governor Berkeley, C.M.G.

Sir,

Downing Street, December 31, 1873.

I HAVE to request that you will furnish me with a report on the affairs of the Sherbro river and country, the state of trade, the attitude of the natives, and the reported disturbances at Mannoh Bargro.

I have, &c.
(Signed) KIMBERLEY.

The Rev. James Johnson to Colonial Office.

My Lord,

62, Gibson Square, Islington, N., January 21, 1874.

I BEG respectfully to call your Lordship's attention to the subject of industrial improvement in the Colony of Sierra Leone, and the other Settlements on the West Coast of Africa, upon which your Lordship was pleased to allow me the favour of an interview with you on the 25th of November, 1873, and to other matters relative to the welfare of the Colony.

1. The want of an institution in the Colony in which young men may, by paying for it, acquire knowledge in brick and tile making, the ordinary pottery work, agriculture, practical engineering, and other like useful and profitable works, has been long felt.

The benevolence both of the Church Missionary Society, and of such private individuals as the Baroness Burdett Coutts, the late Rev. Henry Venn, Earl Harrowby, Sir T. D. Acland, Admiral Maude, Captain Trotter, Messrs. C. Buxton, Thomas Clegg, Gurney Hoare, S. Gurney, and others, has done in reference to this matter what may be reasonably expected of it.

It brought over to this country from Sierra Leone and Lagos, &c., a few young men, and instructed them in the art of printing, the preparation of cotton for English and other markets, carpentry, and gardening, &c., and rendered help to an African Improvement Society, established in the Colony many years ago for encouraging the cultivation of cotton.

Though the results have not altogether come up to its expectations, yet, as Mr. Thomas Clegg has kindly pointed out to your Lordship in his letter of the 21st of October, 1873, they have been such as to encourage the like efforts for the improvement of the people.

The establishment in the Colony of an institution like to that named above would be a great boon both to it and the other Settlements. Mr. Samuel Gurney, and Mr. Thomas Clegg and others, who have interested themselves in this matter, with whom I have had an opportunity of conversing upon it, are of opinion that it would be far more advantageous for the young men of the Settlements to give them the opportunities desired for their improvement in the Colony. This was the opinion of the late Rev. Henry Venn, also who was for many years Secretary to the Church Missionary Society.

I beg respectfully to suggest that such an institution be formed in connection with the Department of Works in Freetown.

This would considerably lessen the expense that would necessarily attend the introduction of such a scheme.

2. Whilst it is desirable that opportunities for industrial improvement be given in the Colony to young men, it is also desirable that for such useful and profitable works as they may not learn there a few promising ones be, for the present, sent to this country, and apprenticed to them. This would give an opportunity for improving the rude knowledge that may be found in the people of some of the arts of civilized life, *e.g.*, cotton spinning, cloth weaving, and iron smelting, &c.

3. The establishment of a Savings Bank in connection with the Post Office in Freetown, and in the large country towns, would be a great help to the industrious poor of the country.

Sir Arthur E. Kennedy, in his late administration, kindly promised to a deputation of ministers of religion and laymen waiting upon him to make efforts to establish it for the people; but his subsequent removal, and the several changes to which the Colonial Government has been recently made subject to, have, I believe, been among the causes to the delay.

Your Lordship would, by establishing such a bank, materially contribute to the prosperity of the people, and greatly help the work of the Christian churches established among them.

4. I am most thankful to know that the matter of superior educational establishments for the young men of the Colony, and other parts of the west African coast, is under your Lordship's consideration; that your Lordship contemplates teaching eventually in the Colony some of the learned professions, and is anxious that the interior countries share with the British Settlements the privileges of a liberal education.

I beg respectfully to suggest that it is most desirable that the state of female education be considered at the same time. The young men are already far in advance of the young women.

The Church Missionary Society, to whose zealous labours, along with those of other

like societies, the educated intelligence in the people is mainly due, has always had a female institution in connection with other missionary agencies. This institution has been the chief means of educating the young women, but the work of education needs now, and is capable of, an expansion on all sides, for which the funds of a missionary society are not available, and which the people, unaided, are not yet able to give it.

It is desirable that the Government establish a few respectable scholarships in connection with the superior educational establishments, as is the case in India, so that young men qualifying themselves for them may be thereby enabled to seek for further enlightenment, or a standing in any of the learned professions.

Should your Lordship see your way to co-operate with the Church Missionary Society in this matter, as I have ventured to suggest, it would very considerably lessen the expense, as that Society has a very commodious and well-situated building at Forerah Bay, and the foundation of a good library, and it contemplates throwing open its college in it to the general public.

The fact that the natives of the Colony and other parts of the West African coast have been in the habit of sending their children and other friends to this and other countries to be educated at no small expense, and with no little risk to the lives of those sent, and that there are at this time about twenty-five of them in schools here and in Germany, tell their desire for a liberal education, and afford a strong argument in favour of the efforts that may be made for enlarged schemes.

5. The elementary schools need all the encouragement your Lordship can give them. On account of the smallness of the salaries usually paid to schoolmasters and mistresses, there are not to be found those who take up the work of teaching as a life profession in which they should seek to excel. It is made by them only a step to something better.

They are not now men or women trained to the work of teaching who are employed; there is no establishment where they may acquire the knowledge needed for a proper discharge of their very important and responsible duty. The Church Missionary Society have had such a school in connection with its grammar school, and for a time employed the services of an English training master in it; but this has ceased to exist, because the Society's work in the Colony has developed itself into a settled native church, and it has transferred all its schools, and almost all its churches, with the native ministry thereof, to the care of its native congregations.

The present Government model school is not adapted for the purpose; but it may be so modified that it may serve for a teachers' training establishment, with only such a school as shall be needed for the teachers under training to have practice in,—those wishing to be trained up for their work paying for their instruction.

All the schools in the Colony and along the coast may draw their teachers from it. This may be done without any great increase upon the present cost of the establishment.

6. It appears that the Government has not made the geological character of the Sierra Leone and other West African soils a matter of practical study.

I respectfully beg to suggest that some one be employed for this purpose; a new source of wealth may be thereby opened to the people and young men sent over to the mining schools in this country for instruction.

Samples of the iron ore, that may be found diffused over the country, have been recently sent to the Church Missionary Society, who have kindly sent them to one of the northern coal districts to be tested.

The Reverend Doctor Tristram, Master of Greatham Hospital in West Hartlepool, who was entrusted with them, says, in a letter to me under date December 1873: "The iron ore is pronounced to be very good, and much like to the Spanish ore in quality."

7. The traffic in the Colony labours under a great difficulty. Poor women with loads on their heads, and very often with the weight of young children on their backs, have constantly to travel twenty, thirty, or thirty-five, and more miles on foot (and a great portion of the road is very hilly), to the city market, to sell 5s., 10s., 20s., or 30s. worth of provisions; the return journey implies the same number of miles travelled over.

In the absence of other convenient means for travelling, it seems to me that it would be a great relief if, at those points where it should be found practicable, the roads be shortened; in some cases miles of march would be saved the people.

8. The difficulty that your Lordship thinks would be met with in the efforts to get efficient Englishmen to go out to Sierra Leone to initiate improving schemes, may be met by making liberal allowances to those who may be willing to go, and inviting the aid of able Africans from either the West Indies or America, and using that which may be found on the coast.

The educational work of the Church Missionary Society would, humanly speaking, not have been attended with its results had it not employed, for nearly twenty-five years,

the services of a Reverend Edward Jones, an American, with a large infusion of negro blood in him, who did not suffer from the climate as Europeans did, in connection with those of some Europeans and of some natives of the Colony.

The frequent return home of English or other European teachers, on account of failing health, with nothing to fall back upon, would seriously hinder the course of progress.

It is to be hoped that the Colonial Government and people would willingly do their part in the important matters affecting the interest of the whole West African coast, and its negro population, and that the liberal allowances suggested would be readily made, especially as your Lordship's desire is, by means of European teachers, to develop an independent native agency as quickly as possible.

9. It has occurred to me to suggest that it may be well if your Lordship allow the people municipal privileges, should your Lordship see your way to it. It would, I think, lessen the work of the Chief Governor,—a thing much to be desired on his own account, and on account of the difficulty your Lordship has to get able men to go out to the Colony,—and give the people real interest in their towns, lead them to take care of them, and help to make them self-reliant.

Should more practicable plans suggest themselves to your Lordship's more experienced judgment, I would be most thankful for them.

Thanking your Lordship most respectfully for the favour of interviews, I have, &c.

(Signed) JAMES JOHNSON.

No. 7.

The Earl of Kimberley to Governor Berkeley, C.M.G.

Sir,

Downing Street, January 26, 1874.

I HAVE the honour to transmit to you herewith, for your consideration and report, a copy of a Memorandum addressed to me by the Rev. J. Johnson,* on matters relating to the educational and other interests of Sierra Leone and the other West African Settlements.

I also inclose a copy of the answer which I have directed to be returned to Mr. Johnson.

I have, &c.

(Signed) KIMBERLEY.

No. 8.

Colonial Office to the Rev. James Johnson.

Sir,

Downing Street, January 30, 1874.

IN reply to your letter of the 21st instant,* I am directed by the Earl of Kimberley to convey to you his Lordship's thanks for your Memorandum on matters relating to the educational and other interests of Sierra Leone and the other West African Settlements.

A copy of the Memorandum will be sent to Governor Berkeley; but I am to acquaint you that the finances of Sierra Leone are, unfortunately, not in a very flourishing condition at the present time.

I am to add that Lord Kimberley has been for months, in vain, endeavouring to find a suitable person for the office of Director of Public Instruction.

I am, &c.

(Signed) H. T. HOLLAND.

No. 9.

Governor Berkeley, C.M.G., to the Earl of Kimberley.—(Received March 28.)

My Lord,

Government House, February 18, 1874.

I HAVE now the honour to report, in detail, the result of my late visit to Sherbro.

The principal Chiefs who assembled at Bonthe, in Sherbro, on 9th instant, for the purpose of meeting me, were Lahai Serifoo, Chief of the Mongray Country, Thomas Cleveland, Chief of Jong Country, Bah Kelleh, Chief of Monkelly, Tom Cabby Smith, not a Chief by descent, but holding an equivalent position in Mongray, and William E. Tucker, Chief of Bullom. There were also assembled a large number of lesser Chiefs and Captains.

The subject of immediate consideration for which the Chiefs had been called together was the war which had sprung up between Lahai Goray, one of the Mongray Chiefs, and Tom Cabby Smith.

From information supplied by Mr. Coulson, the Commandant of Sherbro, it appeared that the origin of their quarrel had been in a dispute concerning certain land. Smith had given the land in question to Bahwarnyahow, one of his dependents. Lahai Goray, claiming the land as his, encroached on Bahwarnyahow's possession, and attempted his forcible ejectment. A fight ensued, in which about seven of Bahwarnyahow's people were killed or wounded. Bahwarnyahow then applied to Smith for protection, as being his landlord, and a man of superior power. Smith took up the quarrel on his client's behalf, and the war thus came to be between him and Lahai Goray.

The mischief was not confined to the persons immediately implicated in the cause of quarrel. As not unfrequently happens in this country, it became engrafted on another war which, since the year 1869, had, with varying degrees of activity, been existing in adjacent districts (viz., the Big Boom, Lubu, and Bompey Countries). Lahai Goray, backed by the Mangrays, applied to Buri, a Chief of Bompey, for assistance. Smith, on the other hand, applied to Momade Groah, a Chief who had been at feud with Buri in the old war; and the Chiefs thus appealed to, along with their respective adherents, renewed hostilities against each other. This took place, notwithstanding endeavours made by Mr. Coulson, as well as some of the neutral Chiefs, to arrange the dispute.

The circumstances out of which the older quarrel arose were trifling in themselves, and it is unnecessary to enter into them. The prevalence of native wars in the districts adjacent to Sherbro is in general to be attributed to the existence of a numerous class of persons following no useful industries, but making their trade in pillage, slave-catching, and slave-dealing; and ready at all times to lend themselves to whatever enterprise affords opportunity of following their propensities.

The infusion of the latter quarrel appearing to be having the effect of stirring the former one with renewed activity and extending its radius, it became of importance that the feud between Cabby Smith and Lahai Goray should be brought to a termination with as little delay as possible.

The desired object was attained. After a protracted hearing, in the course of which the opponent Chiefs stated various reciprocal grievances, Goray and Smith agreed to lay aside their differences. Goray and his Superior Chief Lahai Serifoo then went through in my presence the native form of reconciliation with Cabby Smith.

Lahai Goray and Lahai Serifoo on the one hand, and Cabby Smith on the other hand, then pledged themselves to use their utmost endeavours to stop all hostilities betwixt their respective partizans. The Chiefs professing neutrality also pledged themselves to give their utmost assistance in carrying out the wishes of the Government by stopping all warlike proceedings throughout the country, so far as their power and influence extended. Although good results may be anticipated, yet, until tested by experience, it might be too sanguine an expectation to rely upon a lasting tranquillisation of the country being secured. There is a want of pre-eminent power amongst the best disposed Chiefs, so that they are unable to bring any paramount influence to bear upon their neighbours, whilst the mass are led by their own views of self-interest, which are unsteady and unreliable.

Before dissolving the meeting it was explained to the Chiefs that they would be called upon to enter into a Treaty embodying the conclusions which had been arrived at, as well as certain necessary minor arrangements. It was stated to them, with reference to the subsidies mentioned in the Treaty, that this clause would in the meantime be in suspense; but that in the event of the parties to the Treaty faithfully performing their promises, and being successful in restoring peace and good order in the country, handsome stipends would be paid to them.

The Treaties were signed in the presence of the Commandant on the day following my interview with the Chiefs. They were prepared by Mr. Chalmers, the Queen's Advocate, who accompanied me to Sherbro. I have not yet received them from Mr. Coulson ; but I will do myself the honour of transmitting them to your Lordship at the earliest opportunity.

Your Lordship will perceive from the above statement of facts that the relations of the several tribes in the neighbourhood of the British Settlement cannot be considered as on a satisfactory footing ; for, though these differences would seem to be confined exclusively to presumed grievances arising among themselves, still the effect on trade is the same as if they were at variance with the Government itself.

This state of things is the more to be regretted as, from all I could learn from the merchants and others, the traffic of the rivers, of which British Sherbro may be said to be the focus, is capable of a development never yet attained even in a proximate degree.

While at Sherbro a deputation of the mercantile community waited upon me to represent certain subjects which they considered affected their interests. The first was in connection with the absence of any provision for bonding warehouses. On this point I have already received your Lordship's instructions, and measures are on foot for supplying the want hitherto experienced in this respect. They also suggested that the criminal jurisdiction of the Commandant in cases of petty larceny should be extended, as, from the expense and inconvenience attendant upon a reference to the Courts in Freetown, there is reason to suppose that many cases occur in which the ends of justice are defeated. This point is one, in my opinion, worthy of favourable consideration by the Legislature.

The deputation also complained of the additional duties recently imposed upon spirits and tobacco, which, they said, pressed very heavily upon their particular branch of trade. Upon this point I said that I was unable to give them any decided reply, but that it was probable that, at no distant date, the entire scheme of local taxation would come under supervision by the Government.

I have, &c.
(Signed) GEORGE BERKELEY.

No. 10.

The Earl of Carnarvon to Governor Berkeley, C.M.G.

Sir,

Downing Street, April 8, 1874.

I HAVE to acknowledge the receipt of your despatch of the 18th February,* reporting the result of your recent visit to British Sherbro.

2. I approve of the steps taken by you to secure peace among the tribes in the neighbourhood of the Sherbro ; and I trust they may be attended by a successful result.

3. I am glad to learn, with reference to the complaints brought forward by the deputation of merchants, that bonding warehouses are to be established ; and I am of opinion that the criminal jurisdiction of the Commandant should be extended so as to avoid the expense and delay of a reference in each case to Sierra Leone.

4. I beg to call your attention to my predecessor's despatch No. 490 of the 4th of August last,† and to state that I should wish to receive a Report from you as to whether the merchants and inhabitants of British Sherbro have any other grounds of complaint than those referred to in your present despatch ; and also as to the means by which, in your opinion, the general condition of the Settlement may be improved.

I have, &c.
(Signed) CARNARVON.

No. 11.

Governor Berkeley, C.M.G., to the Earl of Carnarvon.—(Received May 4.)

My Lord,

Government House, April 17, 1874.

REFERRING to my despatch of 18th February last,* I have the honour to transmit copies of the Treaty entered into by me on behalf of Her Majesty's Government with the Chiefs and Headmen of the tribes in the vicinity of the Sherbro, on the occasion of my recent visit to that district. This document was supervised by the Queen's Advocate.

The death of Mr. Coulson, the Commandant, which occurred almost immediately after the execution of the Treaty, has caused a delay in the preparation of the fair copies, and in their transmission to your Lordship.

I have, &c.
(Signed) GEORGE BERKELEY.

Inclosure in No. 11.

TREATY of Peace entered into at Bonthe, in British Sherbro, this 10th day of February, 1874, between his Excellency George Berkeley, Governor and Commander-in-chief of Her Majesty's West Africa Settlements, for and on behalf of Her Majesty Victoria, by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, of the one part, and the undersigned Chiefs and Headmen of the Boom, Small Boom, Bargroo, Imperri, and other countries, of the other part.

WHEREAS war has unhappily been carried on for a considerable time between Tom Cabby Smith, of Gambia, and Lahai Gorey, of Mongray, and their respective allies, in consequence of a dispute as to the rightful ownership of certain land whereby much damage has been caused to the trade and social welfare of those districts, and of British subjects trading therein; and whereas the said Chiefs have agreed to cease from war and submit their dispute to the decision of his Excellency the Governor-in-chief;

It is hereby agreed accordingly, by all Parties Contracting in and by this Treaty, that the dispute between these Chiefs shall be left to the decision of his Excellency the Governor-in-chief, whose judgment shall be final; and the Parties Contracting furthermore bind themselves to the following stipulations:—

ARTICLE I.

There shall be peace from henceforth between the several Parties to this Treaty, and between their subjects, and should any difference or dispute hereafter arise between any of the Parties to this Treaty, it shall be referred to the Governor of Sierra Leone or Commandant of Sherbro, whose decision thereon shall be final and binding upon all parties concerned.

ARTICLE II.

British subjects are strictly prohibited from breaking the country laws, from interfering in any way with the disputes and quarrels of the native Chiefs or their subjects, and from aiding, assisting, countenancing, or supporting them, directly or indirectly, in their wars against each other, either by supplying them with arms, ammunition, or any warlike stores whatever, or with the means of procuring them.

ARTICLE III.

No person whatever, being a British subject, shall be permitted to establish himself within the territories of the said Chiefs, parties hereto, for the purpose of carrying on or engaging in trade unless that person produces a license signed by the Governor-in-chief, bearing his name and address; and all persons holding such license shall be entitled to the protection of the Chiefs parties hereto.

ARTICLE IV.

British subjects holding the Governor's license are hereby guaranteed the right of free and unrestricted legitimate traffic within the territories of the said Chiefs; they may buy or rent lands and houses which shall not be entered upon without their free will or consent.

ARTICLE V.

All complaints against British subjects must be made to the Civil Commandant of British Sherbro, or to the Governor of Sierra Leone, in either case accompanied by sufficient proof in order that justice may be impartially done between all parties. No country law or custom shall be enforced against British subjects, or their property, unless by special permission of the Governor of Sierra Leone or Commandant of Sherbro.

ARTICLE VI.

All persons resident within the Colony of Sierra Leone shall, for the purposes of this Treaty, be under the obligations and enjoy the privileges to which British subjects are hereby declared liable and entitled respectively.

ARTICLE VII.

The roads throughout the territories of the said Chiefs shall be kept open; they are not to be shut on any pretext whatever, and all parties, British subjects, native strangers and others, are to be allowed to travel thereon to and from the Colony of Sierra Leone or elsewhere free and unmolested.

ARTICLE VIII.

The Queen of England shall have the right to demand the surrender of all criminals who, being convicted of any crime or offence in any part of her dominions, may be found in the territories of the said Chiefs, and also the surrender of all British subjects or others resident in Sierra Leone accused or charged with any crime or offence cognizable by the laws of England, committed within the territories of the said Chiefs or elsewhere, and found within the territories of the said Chiefs, for the purpose of being punished or tried for such crime or offence in Sierra Leone or such other place as the Governor-in-chief may appoint for that purpose; and the Chiefs parties hereto bind themselves and their successors to secure and surrender all such criminals, British subjects and others so convicted, accused, or charged as aforesaid, upon demand made for them by the Governor of Sierra Leone or any other competent authority. Persons who have not committed crimes, but taken refuge from slavery in British territory, shall not be given up.

ARTICLE IX.

The Chiefs who are parties to this Treaty shall also have the right to demand the surrender of any of their subjects or domestics, who are accused of having committed any crime within their own territories aforesaid, who have fled to British territory.

ARTICLE X.

The soldiers and war men of both of the two aforesaid Chiefs (Tom Cabby Smith and Lahai Gorey) and their respective allies shall be withdrawn from every place, fort, or stockade within the territory declared to belong to any of the other said Chiefs.

ARTICLE XI.

In consideration of the foregoing stipulations of this Treaty being strictly adhered to on the part of these Chiefs and their successors, his Excellency George Berkeley, Governor and Commander-in-chief of Her Majesty's West Africa Settlements, for himself and his successors, agrees, on behalf of Her Majesty Queen Victoria, to pay, or cause to be paid, annually through the Commandant of Sherbro to the said Chiefs and their successors the sums hereinafter set forth.

ARTICLE XII.

This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the said Chiefs.

ARTICLE XIII.

Lhai Gorey and Tom Cabby Smith, together with all the other neutral Chiefs concerned in settling this dispute, hereby bind themselves to render all the assistance in

their power in concluding a peace between their respective allies, viz. Gberry, and Momodo Groa, Momodo Pomba, Canry Vonz, and others.

In this they will be assisted by Chief Allimamie Sannusie, who will, if necessary, accompany them to the Boom River.

ARTICLE XIV.

In consideration of the assistance rendered and forbearance shown during this quarrel, his Excellency hereby promises for himself and on behalf of Her Majesty to pay to Lahsurru an annual present of 200 bars.

LAHAI SERIFOO (Signed in Arabic), *Chief of Mongray*.
 TOM CABBY SMITH, his ✕ mark, *Chief of Gambia, Small Boom*.
 LAHAI GOREY, his ✕ mark, *Chief of Bramah (Jong)*.
 BAH KELLY, his ✕ mark, *Chief of Mokelly (Imperri)*.
 SINEGE, his ✕ mark, *Head Chief for Jong Country*.
 BAH DRESHAH, his ✕ mark, *Chief of Bahmah (Small Boom)*.
 YANGA FANA, his ✕ mark, *Chief of Matacong (Imperri)*.
 LAHSURRU, his ✕ mark, *Chief of Bahleh Mongray*.
 BEAH BOOM (*Bagroo*), his ✕ mark, *Chief of Gbambaiah (Imperri)*.
 FOODY SERIFOO (*Bagroo*), his ✕ mark, *a Chief of Mongray*.
 SOGBENI (*Bagroo*), his ✕ mark, *Chief of Tousoo (Small Boom)*.
 THOMAS CLEAVELAND (*Bagroo*), his ✕ mark, *Chief of Sembehoo (Jong)*.
 KA TEGBE (*Bagroo*), his ✕ mark, *Chief of Gaindemah (Imperri)*.
 BAH YEGMBE, his ✕ mark, *Chief of Matro (Jong)*.
 FANA DICKONO, his ✕ mark, *Chief of Rontook (Imperri)*.
 BEH COA, his ✕ mark, *Chief of Hahoon (Small Boom)*.
 BOCARY WOTA, his ✕ mark, *Chief of Kahkah (Imperreh)*.
 KAH GPENDAH, his ✕ mark, *Chief of Luawah (Jong River)*.
 YHANDANAH, his ✕ mark, *Chief of Woolah (Jong River)*.
 BAH WONAH, his ✕ mark, *Chief of Tihoon (Small Boom)*.
 BOCCARY NGEWOH, his ✕ mark, *Speaker for Mongray*.
 HUMPA RANGO, his ✕ mark, *Chief of Dodoë (Bagroo)*.
 GBAM PHUBU, his ✕ mark, *Chief of Mokassie Country*.
 SUMANA KUGBE, his ✕ mark, *for Diamo, Chief of Mocassie (Bagroo)*.

Signed in the presence of

(Signed)

T. A. WALL, J.P., *Deputy-Collector of Customs, Sherbro*.
 G. T. CARTER, R.N., *Assistant-Paymaster, H.M.C.S. "Sherbro."*
 G. M. MACAULAY, *Assistant Interpreter and Protector of Strangers*.
 THOMAS GEO. LAWSON, *Government Interpreter*.

No. 12.

The Earl of Carnarvon to Governor Berkeley, C.M.G.

Sir,

Downing Street, May 15, 1874.

I HAVE received your despatch of the 17th ultimo,* and I have to express my approval of the Treaty entered into by you on behalf of Her Majesty's Government with the Chiefs and Headmen of the tribes in the vicinity of the Sherbro.

I should be glad to be informed whether it was intended by Clause II of the Treaty to prohibit the supply by British subjects of arms and ammunition in times of peace, or only when the tribes are at war with each other. It appears to me that the clause is open to some doubt upon this point.

I desire also to point out that, although Clause IX is silent on the point, it must be clearly understood that, before a fugitive is surrendered to the Chiefs, the Governor must be satisfied by evidence that there is a *prima facie* case against the person whose surrender is claimed.

I have, &c.

(Signed) CARNARVON.

Governor Berkeley, C.M.G., to the Earl of Carnarvon.—(Received July 6.)

My Lord,

Government House, June 9, 1874.

IN reply to your Lordship's despatch of the 15th of May,* respecting the Treaty lately entered into with the Chiefs and headmen of the tribes in the vicinity of the Sherbro, I have the honour to report that the prohibition of the supply of arms and ammunition contained in the 2nd clause of the Treaty was not intended to apply except when a state of war amongst the tribes was existing or imminent. In the event of a permanent prohibition arms could be furnished either from Monrovia, or from the French Settlements to the northward of Sierra Leone, by means of the cross-roads which intersect the country, and afford means of communication behind the limits of British occupation.

2. The Commandant of Sherbro will be instructed in terms of your Lordship's remarks relative to the IXth Clause of the Treaty.

I have, &c.

(Signed) GEORGE BERKELEY.

Governor Berkeley, C.M.G., to the Earl of Carnarvon.—(Received July 16.)

My Lord,

Government House, Sierra Leone, June 25, 1874.

ADVERTING to Lord Kimberley's despatch, Sierra Leone, of the 4th of August, and to one from your Lordship of the 8th of April,† calling upon me for a Report upon the general condition of the Sherbro District, I have the honour to state that British Sherbro was ceded to Great Britain in November 1861, during the administration of Governor Stephen John Hill, at the time when the French had bombarded the principal stronghold of Chief Stephen Caulker, at Bendoo.

2. The territory thus ceded is very extensive, comprising the whole of the Sherbro Island, together with the group lying to the north-west of Sherbro, known as the Turtle Islands, as well as a seaboard on the main land, extending from the left bank of the Yelltucker or Massam River northward, to the right bank of the Bagroo River in the southward, and extending as far as thirty miles inland, reckoning from the banks of the river. Our territory ceases here on the mainland until we arrive at the mouth of the Jong, Small Boom, and other rivers, and as far as Parrot's Point, on the left bank of the Mongray River, where we again possess territory for a distance of about fifteen miles, extending to the right bank of the Boom Kitturn river towards the south-west, terminating at Turner's Peninsula.

3. The portion of territory between the Bagroo and Mongray rivers, named Imperri, has never been treated as within British jurisdiction, and a constant state of turmoil exists there, arising from feuds between the native Chiefs.

4. British territory itself has been hitherto remarkably free from disturbance, considering its extent and the limited means at the disposal of the Commandant to quell any outbreak on the part of the inhabitants.

5. Of this extensive territory only the Settlements at Bonthe and Victoria, both on the Sherbro Island, can be said to be occupied by the Government. At the former reside the Commandant and civil staff, with the exception of the Assistant Colonial Surgeon, who is stationed at Victoria, about four miles from Bonthe, which place he visits regularly twice during the week. The Colonial hospital, formerly the military barracks, is also situated at Victoria.

6. The establishment of the Commandant consists of a Civil Commandant, a clerk, and sub-accountant, a bailiff, a harbour-master, a gaoler, a superintendent, two overseers of convicts, a coxswain, boatmen, and labourers.

7. That of the Deputy-Collector, of a Deputy Collector, a clerk, a first and second landing-waiter, a coxswain and boatmen.

8. The Medical Department consists of an Assistant Colonial Surgeon, a dresser and compounder, a messenger, three labourers, a cook, and a laundress. The fixed expense of the Settlement at British Sherbro is 2,629*l.* 4*s.* 7*d.*, with allowances of a fixed and temporary nature amounting to 75*l.* 12*s.* 6*d.*

9. A statement, however, of the expenditure in the district for the year 1873 shows

* No. 12.

† Nos. 1 and 10.

how small a proportion the cost of the fixed establishments bears to the entire outlay. Among the items figures the large sum of 1,486*l.* 13*s.* 4*d.* for the conveyance of the mails.

10. I also beg to inclose a return of the revenue derived from the district during the year 1873, as to the correctness of which, however, the Acting Collector of Customs seems to express a doubt. A comparison of these two statements would scarcely justify the imputation that the interests of the Settlement are neglected, at any rate as far as the amount contributed from the general revenue for its support. Whether the sums expended on account of miscellaneous services have been judiciously laid out or not is a subject upon which I am not in a position to report.

11. The public buildings at Bonthe consist of a Commandant's residence, in the upper portion of which is his office; a building, the lower portion of which is used as a police barrack, the upper portion being devoted to an office for the Deputy Collector of Customs and to a Police Court; a small detached building used as a Post Office and the gaol. The latter structure is very small, and consists of a mud house divided in the centre into three compartments, and having a piazza in front divided into two. In the centre compartment the prisoners sleep on bamboo sticks interlaced, and raised from the ground on four posts. There are four beds of this description. The room on the right is used as a store; the one on the left for prisoners on trial. In one of the rooms in the piazza the gaoler sleeps, and the other is the debtors' cell. The sick prisoners are removed to Victoria for treatment, as there is no accommodation for them in the building. The buildings at Victoria consist of the public hospital and a house formerly used as a residence for the Assistant Colonial Surgeon, but now in a state of dilapidation, and, I fear, beyond repair. The Colonial Surgeon, who accompanied me on my visit to Sherbro, reported that, in his opinion, the building and its appliances were sufficient for the wants of the districts.

12. There are doubtless many suggestions that I could make for improving the general condition of the district, but all these would be attended with a larger outlay than the present financial position of the Settlement would justify.

13. It is highly important that an accurate survey should be made of the territories on the main land ceded under the Treaty, 9th November, 1861, as much inconvenience has been experienced from no definite knowledge of the limit and extent of that territory. The description I have given of the gaol at Bonthe renders it unnecessary for me to call special attention to the necessity of a radical reform in that quarter. The separation of the Assistant Colonial Surgeon and of the hospital from the rest of the public functionaries and institutions is a source of much inconvenience in a country where the means of transport are so imperfect. The hospital should, therefore, be at Bonthe, provided it is finally determined to retain the head-quarters of the Government there. But a very strong feeling seems to exist, in which I am inclined to agree, that both Bonthe and Victoria should be abandoned for such a purpose and Bendoo on the mainland substituted. In a sanitary point of view, no doubt on the subject can be entertained, as Bendoo is not exposed to the malaria of adjacent swamps, as is the case more particularly at Bonthe. I think also that Bendoo would be equally central and convenient for the merchants and others.

14. In my recapitulation of the establishment, I omitted to state that an armed police force of thirty men is at the disposal of the Commandant. The late Commandant, Mr. Coulson, represented the inadequacy of the force in the event of any outbreak, though sufficient to meet ordinary emergencies. I think myself the force should be augmented by twenty men. The last suggestion that presents itself to me is the obvious advantage that would be derived from the Commandant having at his disposal a steam launch, so as to be enabled to pay rapid visits to any portion of the district where trouble was apprehended. For two successive years a vote has appeared on the estimates for the purpose, but want of funds has hitherto prevented the project from being carried out.

15. I am not aware of any further subjects of complaint on the part of the merchants than those contained in my despatch of the 18th of September, at least nothing further has been brought to my notice. Doubtless a more active interference on the part of the Government in native quarrels, and greater readiness to espouse, unconditionally, the cause of the merchants and petty traders in their disputes with the natives, would be a line of policy likely to meet with general approbation; but one that I could not recommend, inasmuch as I believe in many instances the subjects of this Government are at fault. The occupation also of certain stations on the mainland within our jurisdiction by a police force would give satisfaction. I doubt, however, whether the condition of the district is such as to call for any immediate action in this respect. One and perhaps the most fertile source of complaint has been the want of regular mail

communication. In my despatch of the 24th of January, 1874,* I reported the satisfactory arrangements I had made with the owners of the steamer "African." At that time the mails left here for Sherbro three times in the month, twice by steamer and once by mail canoe; which, considering that a Settlement like the Gambia has only a monthly mail, would seem liberal in the case of Sherbro. Some time after the machinery of the "African" broke down, and could not be repaired without sending to France. No other steamer being procurable here, the mail canoe made three trips a month. An application has recently been received asking for a weekly communication by canoe. In their communication on the subject, the merchants took the opportunity of reflecting on the irregular dispatch of the mail boat from Freetown. Upon reference to the Postmaster, however, it was found that, as far as the arrivals of the mails from England will allow, the date of which can never be calculated on within seventy-two hours, the departure of the mail boat has been regular, with the single exception of the occasion upon which an interval of a fortnight elapsed, in the receipt of a mail from England, consequent upon the loss of the "Liberia."

16. I have thus endeavoured to comply with your Lordship's instructions to report upon the state of the Sherbro district, and the best means by which, in my opinion, the general condition of the Settlement may be improved. My own observation of the state of affairs there was necessarily limited, as, at the time of my visiting the district, I was in momentary expectation of receiving a summons from Sir Garnet Wolseley to proceed to Cape Coast to assume the administration there.

I have, &c.
(Signed) GEORGE BERKELEY.

Inclosure 1 in No. 14.

STATEMENT of Expenditure in the Sherbro District for the Year 1873.

As per estimate—						£	s.	d.
Civil Commandant and Coroner	..	..	..	..	..	520	0	0
Clerk and Sub-Accountant to ditto	..	..	..	..	..	100	0	0
Bailiff	..	..	..	..	..	36	0	0
Harbour-Master	..	..	..	..	..	25	0	0
Postmaster	..	..	..	..	..	75	0	0
Gaoler, at 2s. 6d. per diem	..	..	..	..	..	45	12	6
Superintendent of Convicts, at 1s. 6d.	..	..	..	..	..	27	7	6
20 Overseers of Convicts, at 10d. each	..	..	..	..	..	30	8	4
1 Coxswain, at 36l. : and 6 boatmen, at 27l. 7s. 6d. each	..	..	..	..	..	200	5	0
Labourers	..	..	..	..	..	200	0	0
Deputy Collector	..	..	..	..	..	350	0	0
Clerk	..	..	..	..	..	100	0	0
First Landing Waiter	..	..	..	..	..	100	0	0
Second ditto	..	..	..	..	..	75	0	0
Coxswain	..	..	..	..	..	36	0	0
6 Boatmen, at 27l. 7s. 6d.	..	..	..	..	..	164	5	0
Assistant Colonial Surgeon	..	..	..	..	..	350	0	0
Dresser and Compounder	..	..	..	..	..	75	0	0
Messenger, at 1s. 3d. per diem	..	..	..	..	..	22	16	3
Nurse	..	..	..	..	..	12	0	0
Laundress	..	..	..	..	..	12	0	0
Cook, at 1s. per diem	..	..	..	..	..	18	5	0
3 Labourers, at 1s. each	..	..	..	..	..	54	15	0
Allowances	..	..	..	..	..	45	12	6
Contingencies	..	..	..	..	..	120	0	0
Aborigines	..	..	..	..	..	139	4	3
Works and Buildings	..	..	..	..	..	77	2	4
Roads, Streets, and Bridges	..	..	..	..	..	472	15	3
Administration of Justice, as per Estimate	..	..	..	..	..	33	6	8
Transport	..	..	..	..	..	333	18	0
Police and Gaols, as per Estimate	..	..	..	..	..	162	19	4
Rent	..	..	..	..	..	233	0	3
Hospitals, as per Estimate	..	..	..	..	..	551	14	5
Miscellaneous services	..	..	..	..	..	16	6	0
Conveyance of mails	..	..	..	..	..	1,486	13	4
						6,362	6	11

Colonial Treasury, Sierra Leone, June 16, 1874.

Inclosure 2 in No. 14.

RETURN of the Sherbro Revenue for the Year 1873, showing the Amount of Duties paid here and at Sherbro on Sundry Articles consumed at Sherbro.

Articles.				Quantity.	Duty.			Total.		
					£	s.	d.	£	s.	d.
Ale and porter	..	..	Gallons	..	1,200	5	60	0	6	
Bitters	..	..	..	..	8		0	1	7	
Cigars	..	..	Lbs.	..	69 $\frac{1}{2}$		6	19	0	
Gunpowder	..	..	Barrels	..	837 $\frac{2}{3}$		83	15	9	
Spirits, not sweetened	..	..	Gallons	..	116,043	3	11,604	6	7	
„ sweetened	..	..	..	..	421	5	42	3	0	
Tobacco, manufactured	..	..	Lbs.	..	459,631		7,760	10	4	
„ unmanufactured	..	..	..	..	21		2	2	0	
Wines, not claret	..	..	Gallons	..	1,489	4	111	14	1	
„ claret	..	..	..	..	1,362		34	1	5	
Amount of cash and bonds received from Sherbro				..			19,705	14	3	
							1,860	19	6	
										17,844 14 9
										1,860 19 6
Total				..						19,705 14 3

The exact amount of Sherbro revenue cannot be arrived at just now, as both the Freetown and Sherbro revenues have been mixed up hitherto.

(Signed)

JOHN TREHERNE,

Acting Collector of Customs.

Custom-House, Freetown, Sierra Leone,

June 13, 1874.

No. 15.

Governor Kortright to the Earl of Carnarvon.—(Received April 1.)

My Lord,

Government House, March 12, 1875.

I HAVE the honour to transmit to your Lordship a letter from the Commandant of British Sherbro, together with its inclosures.

2. I am not aware that Mr. Davis has received authority to address your Lordship direct on public business connected with Sherbro.

3. As I believe it to be necessary that I should visit Sherbro without delay, I shall make no remarks on the papers forwarded by Mr. Davis until I shall be in a position, from personal observation, to report on the several points to which the Civil Commandant calls your Lordship's attention.

I have, &c.

(Signed)

C. H. KORTRIGHT.

Inclosure 1 in No. 15.

(Extract.)

British Sherbro, March 1, 1875.

I REGRET the delay on my part in preparing the notes I now forward, but would plead in excuse that in less than eight months and a half I have had ten several attacks of fever, while from the duties and responsibilities of my office I have been caused a considerable amount of work and much anxiety. It is the fear of further delay from sickness and increasing bodily weakness which has led me to forward now notes upon some only of the defects in administration from which this Settlement suffers, as I feel that early consideration should be given to those matters with which I have dealt.

I purpose hereafter to bring before your Lordship's notice the following subjects:—

- (1.) The existence of domestic slavery in British Sherbro.
- (2.) A plan of settling the Crown lands by free grants to natives from the interior and elsewhere.
- (3.) That it is desirable to fix the seat of Government at Bendoo.
- (4.) The urgent want of a bonding warehouse in Sherbro.
- (5.) The almost utter absence of representation in the Legislature of the interests of Sherbro.

(6.) The advantage to Sherbro of having soldiers stationed here, the charges of which should be paid by the inhabitants.

(7.) The great need of settling what may be the boundaries of British Sherbro.

I beg to acknowledge the indebtedness of the inhabitants of this district to his Excellency the late Administrator of the Government (his Honour Chief Justice French), for having, on my urgent representation, increased the number of police stationed in this large and uncivilized district from 31 to 55, all told.

In conclusion, I beg humbly to observe that British Sherbro has within it such resources, and is so favourably situated for trade, that I firmly believe that, with a little attention on the part of Government, it may become a source of no inconsiderable increase of wealth to Her Majesty's Empire.

I have, &c.

(Signed) N. DARNELL DAVIS,
Civil Commandant of British Sherbro.

The Right Honourable the Earl of Carnarvon,
Her Majesty's Principal Secretary of State for the Colonies.

Inclosure 2 in No. 15.

Notes upon the State of British Sherbro.

Chapter I.—Introductory Notes describing British Sherbro.

BRITISH Sherbro is a Settlement lying to the south-east of Sierra Leone, from which it is isolated by the uncivilized and bush-covered territory of an independent native Chief. The lands of the Republic of Liberia lie to the east of Sherbro, from which they are divided by an estuary of the sea. The village of Bunth, the official head-quarters of Sherbro, is distant 120 miles from Freetown, the capital of Sierra Leone. Communication between Freetown and Bunth is by water only, along a coast made dangerous by shoals and sand-banks, and going and coming by sailing vessels is much retarded by a contrary wind one way or the other throughout the year.

120 miles S.E. from
Sierra Leone.

2. As there is no highway overland between Bunth and Freetown, there is, of course, no railway. There is no line of telegraph by sea or land, and but seldom an opportunity of a steamer. The only steam-vessel plying on the course is a very small boat called the "Africain," which is little more than a case of machinery, she having been brought to the West Coast by a French house of merchants to tow their vessels in and out of rivers. Her service is not regular, and she is very liable to get out of repair. Persons voyaging by her having to remain on deck throughout the passage are liable to the results of exposure in this climate. The quickest means of communication to be depended upon is by the small open boat which carries the mails, as this craft can run closely along the land.

Sherbro isolated from
Sierra Leone.

3. Thus, the dangers and difficulties of navigation, with the fact of the Settlements being separated by a foreign territory through which there is no road, render Sierra Leone and Sherbro two distinct territories, as is practically shown by travellers from Sherbro to Sierra Leone being liable to have their luggage searched by the Customs officers on their arrival at Freetown.

Sherbro and Sierra
Leone two distinct
territories.

4. With the traditions of the West Coast of Africa to be taken into consideration, as well as the geographical isolation of Sherbro from Sierra Leone, it may easily be understood from the foregoing statements that it is a far cry to the latter place from the former.

5. The territory of British Sherbro was ceded to Her Majesty on the 9th of November, 1861, by native chiefs, who feared that otherwise the French Government would take possession. The natives hated the French on account of the revenge which a ship of war of that nation had then recently taken upon some of the inhabitants for an alleged act of plundering a French trader, and for which the native town of Bendoo had been destroyed.

Cession to Great
Britain.

6. Her Majesty's dominion here is supposed to cover 3,000 or 4,000 square miles, and is most happily situated for trading purposes, as it lies at the mouths of the three considerable Rivers Big Boom, Jong, and Bagroo, which themselves are fed by a network of smaller streams that come down from many miles distance.

Area.

7. The whole Settlement takes its name from the Island of Sherbro, the largest of the mangrove swamps which have grown out of the quantities of vegetable matter brought

Island of Sherbro.

Bunth head-quarters.

Why head-quarters changed from Bendoo to Bunth.

Captain Walshe's opinion that head-quarters should be at Bendoo.

Mr. Coulson's opinion as to Bendoo.

Commandant subject to public intrusion at his own house, having no office but his verandah.

Population.

Natives anxious to get work.

Domestic slavery.

Proposed action for abolition of slavery.

down by the rivers. On the eastern side of this island, which is a swamp with swamps within it, lies Bunth, the official head-quarters of the Settlement; that is to say, the Civil Commandant and the Deputy Collector of Customs live there. Bunth is a small village of no importance, save what it derives from being the residence of the only two European officials in Sherbro; and it became the head-quarters in 1868 instead of Bendoo, the most fit place, because at that time the mud house which Captain Walshe, then Civil Commandant, rented, could not possibly be "made habitable for another rainy season, and there were no other premises available in the district but those at Bunth."*

So that, because the Government of Sierra Leone had failed to provide a suitable dwelling and fit offices for the official in charge of the whole Settlement, within six years of its annexation to Sierra Leone, and because the mud hut in which that official was then dwelling had become uninhabitable, the head-quarters of the Government were removed from Bendoo to Bunth, where they have remained, in spite of the opinion of Captain Walshe, expressed in the letter before quoted from, that: "At the same time I cannot help observing that I consider the purchase of this place† would be only for a temporary purpose, that of supplying our immediate and pressing wants in the Sherbro, and that eventually the whole of Government officers, &c., will have to be removed to Bendoo." And, moreover, in spite of the recommendation of Mr. Coulson, Captain Walshe's successor as Civil Commandant, contained in a Report submitted by him to the Government at Sierra Leone on the 9th of September, 1873, in the 13th paragraph of which he wrote:—"The removal of the Government quarters to Bendoo on the mainland I cannot too strongly recommend as being the first step towards future development, when, if money is expended and Treaties formed, I anticipate a brilliant result, and would refer your Excellency to some previous correspondence on the proposition, as quoted in the margin." Government quarters and offices should be built at Bendoo, and all Government establishments should be fixed there, except, perhaps, the hospital, which might with advantage remain at Victoria, that is to say, a hospital should be built at the latter place. The Civil Commandant at present has no office, the verandah of his quarters being used for the purpose, whereby he is deprived of that freedom from intrusion in private life which most men prize. Such provision as has been made for the Customs, Police, Gaol, and Post-office is simply a make-believe.

8. It is impossible to estimate the population of Sherbro. Persons of European race number about twenty-four, including the two Government officials, the staff of the American Mission to the Mendis, and the establishments of five mercantile houses. The African portion includes those enterprising Sierra Leone men who have found the dronish life of their native country incompatible with progress and prosperity. To these, Sherbro is a kind of Australia. The natives of the territory are chiefly Sherbros and Mendis, the latter being the dominant race in this part of Africa, their dialect becoming generally spoken, and they being more energetic than the Sherbros proper. British Sherbro is receiving frequent accessions of population, not only through exiles driven hither by war and from runaway slaves, but chiefly from a swelling tide of immigration which is flowing from the interior. If this immigration were but made use of by the Colonial Government, Sherbro might become, not only a trading, but an agricultural country. Small homesteads might be granted to the immigrants, and Government work of a reproductive nature might be granted to them, chiefly in the making of roads to those districts where there are collections of palm trees. The immigrants are most anxious to take work, and even at low wages. Since my arrival I have reduced the pay of road labourers (the grant for this service is limited) from 10d. to 6d. a-day. Men come readily at that rate, and I am pestered by the importunacy of numbers who wish to be thus engaged, being beset in the streets of Bunth by men who want work. The larger the number of men employed, the more others want to be employed, as those employed wish to get work for men who come from their part of the interior. Nothing besides the money payment is allowed to the Government labourers.

9. Domestic slavery exists within, I may say throughout, Her Majesty's Settlement of British Sherbro, and I have even had runaways come to me to be "made free" who had escaped from slavery within the territory. As far as I have yet learnt, it would appear that persons are but seldom bought and sold within the Settlement, but that when residents are in want of slaves they procure them from neighbouring native territories.

10. By opening up the Settlement with roads, by increasing the number of police within it, by making proclamation with beat of drum in every village that slavery is unlawful within the territory (of which fact I really do not think the inhabitants of some parts of the territory are aware), by giving temporary employment upon the roads and

* Captain Walshe to Colonial Secretary, February 20, 1867.

† This place has only been rented, not purchased, the rental of 150*l.* a-year being very high.

plots of Government land to runaway slaves, and by prosecuting two or three slave-owners to conviction and punishment, I think slavery would soon be really abolished. It should always be remembered that prejudices in favour of slavery are held only by that minority who are owners, and the slaves would be in a great majority, as against their masters, in favour of owning themselves; and I am prepared to answer any arguments to the contrary.

11. The trade of Sherbro consists chiefly in an exchange on the part of the merchants of rum, gin, tobacco, powder, and guns, and cotton goods, for palm oil, palm nuts, and rice from the natives. Production.

The following table shows the value of the exports and imports from 1869 to 1873:— Trade.

From January to December—	Imports.			Exports.			Remarks.
	£	s.	d.	£	s.	d.	
1869	46,803	11	2½	117,007	13	4½	The exports include a considerable quantity of rice grown in Sherbro, and sent to Sierra Leone for consumption. This may be taken as a cash transaction, as Sierra Leone produces nothing which would be taken in exchange.
1870	71,317	2	2½	100,939	13	8	
1871	100,826	2	1¾	140,055	9	1½	
1872	105,589	14	2	121,016	15	6¾	
1873	86,786	9	11	119,489	7	7¾	

Of late years the extension of trade has been much hindered by the numerous petty wars among the neighbouring countries, which are caused with a superabundance of Chiefs, hardly any one of whom has considerable power; but, were peace assured, with the help of a strong and active Government, British Sherbro would become a rich possession, and the warehouse of much of the wealth of the interior of Africa.

12. Politically, Sherbro is considered a “district” of Sierra Leone, from which, as has already been observed, it is so far apart as to render it a distinct community; but, practically, it is but little known by the chief officials of Sierra Leone, except on paper, as a source of revenue. Political state of Sherbro.

13. By the Treaties of Cession in 1861, the Laws of Sierra Leone theretofore passed were adopted in a wholesale manner, without thought of their fitness, in certain cases, for the regulation of society in Sherbro; and subsequent Laws, with a few exceptions, apply equally to Sherbro and Sierra Leone. I cannot but think that some Laws or portions of Laws which have hitherto been enforced in Sherbro, and which seem to have special reference to Freetown only, have been, and now are being, enforced illegally; but if some of these were not enforced, I think that much difficulty would arise. Laws in force.

14. The Government business of the Settlement is done by two European officials, the Deputy-Collector of Customs and the Civil Commandant. Administration.

15. The title of his office indicates the duties of the Deputy-Collector of Customs. The present holder of the office also performs the duties of Coroner of Sherbro. The Deputy-Collector of Customs has four clerks in his office. The Deputy-Collector of Customs.

16. The duties of the Civil Commandant comprise almost every function known to Government, but, while his offices are thus numerous, he has but the shadow of power—a public misfortune, as the Government of Sierra Leone has shown but little inclination to use its power for the good of the Settlement, and the suggestions of the Commandants have been pigeon-holed with indifference, or but tardily adopted. The undefined and powerless position of the Civil Commandant does indeed require some consideration, as, should far less than an emergency arise, he would have to act on his own responsibility, with but little help from others, until, at quickest, a kroo canoe could hie to Freetown and back. The Civil Commandant.

17. The Commandant is, in a manner— Functions of the Civil Commandant.

- (1.) Colonial Secretary of Sherbro (corresponding with the Governor through the Colonial Secretary).
- (2.) Treasurer of the Settlement.
- (3.) Auditor.
- (4.) Police Magistrate.
- (5.) Magistrate of the Petty Debt Court.
- (6.) Surveyor of Roads, Bridges, and Buildings.
- (7.) Head of the Police in the district.
- (8.) Political Agent for relations with the duties herein, being alone sufficient work for one man.

(9.) Government Storekeeper.

(10.) Superintendent of the Gaol.

(11.) Moderator-General of the Settlement, hearing palavers of all kinds, making himself generally useful in matters in which the inhabitants, or some of them, think he has a right to interfere.

(12.) Governor of the Hospital.

If any one wants anything done in which there should be some interposition of authority, that person betakes himself to the Commandant, because there is no one else to apply to.

More officials wanted,
if Sherbro is to be
governed.

18. It is, of course, impossible for one man properly to fulfil so many duties, though any one man could draw salaries for all of the offices above-named, even although such office had attached to it the same payment allowed to me as Civil Commandant. I venture to think that I should find myself sufficiently qualified to do thus much; but, though I might draw the salaries, I could not perform the duties; and I respectfully urge that it is unfair to the community, and distressing to the Commandant, that no better provision should have been made for the administration of public affairs in Sherbro. To do as little as possible is dishonourable, to do as much as possible is to be killing one's-self, and to suffer from the wearing conviction that so much is left undone.

Public Offices.
Gaol.

19. As a rule, the provision for public offices and establishments is disgraceful in makeshifts. The small bamboo-thatched shed rented for a gaol (in a sickly situation), against which Mr. Coulson, Dr. Davies, and myself have protested, is stigmatised even by the natives as the "dark house." It must, however, be specially reported upon to his Lordship, as I have vainly done so to the Government at Sierra Leone. There are no lock-ups in the Colony. I have already said that the Civil Commandant has no office; wherefore the iron chest in which the Government money is secured is deposited in my bed-room, where, at times (and I say it seriously), it would get wet, as the rain comes through the roof of the rotten house rented as the Commandant's quarters, did I not cover the chest with a newspaper. Upon the premises rented for the Commandant's dwelling-house, I hope to be able to report after I have drawn his Lordship's attention to other matters of greater public necessity. What is called the Customs' Office, is a small space cut off from a room of which another portion is used for the Magistrate's Courts, and a third for the Bailiff's Office. His Lordship will better appreciate the unfitness of these so-called offices when I state that the area of all of them put together but little exceeds that of the one room in which the Principal Under-Secretary for the Colonies has his office in Downing Street; with this difference, the rooms here are at times like an oven, from the covering of the roof-work being very slight. Beneath these rooms lies the Police Station, and also a very small room in which various articles, the property of the Government, are kept. The Civil Hospital is the only building in Sherbro which is the property of the Colonial Government; it having been converted to its present use from its former service as the barracks for the soldiers, when a detachment was stationed in this district.

Civil Commandant
has no office.

Customs' Office.
Court-Room

Civil Hospital.

Revenue from
Sherbro.

20. I regret exceedingly that I am not able to inform his Lordship as to the amount of revenue which is derived by the Government at Sierra Leone from Sherbro; but I share the conviction of the inhabitants, that more money is taken from them than is spent upon the place for their benefit. I applied twice for information on this head from public offices in Sierra Leone. The answers I received will be found in the Appendix (A), 5 and 6.

I would, however, draw attention to the fact that this settlement is entirely unrepresented in the Legislative Council. My letter to the Government, of Sierra Leone, advocating the selection of one of the merchants in Sherbro for a seat in Council, will be found in the Appendix. It was not noticed by the local Government, the receipt of it not having been even acknowledged [Appendix (A), 7].

(Signed) N. DARNELL DAVIS,
Civil Commandant of British Sherbro.

Sherbro, March 1, 1875.

Chapter II.—*Disadvantages under which British Sherbro suffers from the want of easy access to Justice in Criminal Cases.*

In January, 1871, Captain Walshe, then Civil Commandant of Sherbro, that is to say the only responsible Administrative Officer in Sherbro besides the Deputy Collector of Customs, was summoned to attend the Supreme Civil Court in Freetown, 120 miles away, as a witness in a suit. Thereupon Captain Walshe appealed to the Governor at Sierra

Leone against the summons, in the interests of the inhabitants of Sherbro, saying, "it will be exceedingly inconvenient to the public service for me to leave the Sherbro at present, especially during the absence of Mr. Coulson, the Deputy Collector, and in view of the sale of the Crown lands in the district, and the present unsettled condition of the neighbouring territories."* Captain Walshe's remonstrance having been referred to Mr. Montagu, then acting for the Queen's Advocate, that gentleman was of opinion that "justice in criminal and civil cases" was "obstructed by the difficulty of getting witnesses from Sherbro, owing to the mode of conveyance being difficult, highly inconvenient, and dangerous. The nuisance to the Government suitors and witnesses could not be abated without some fresh law, the form of which Mr. Montagu was unable to suggest."† And, no action following, thus was disposed of one of the most serious grievances from which the infant Settlement of Sherbro has hitherto suffered. From that time, January 1871, until this day no attempt has been made to redress the grievance, and the inhabitants of Sherbro have continued to suffer while the Government at Sierra Leone has remained indifferent.

Captain Walshe summoned in 1871 to the Supreme Court in Freetown.

Mr. Montagu's opinion as to obstructions to justice.

No action taken by Colonial Government.

Distance of Sherbro from Sierra Leone.

Attendance at Court in Freetown ruinous to poor man, and a severe tax upon well-to-do people.

Old laws of Sierra Leone applied to Sherbro. Ordinance No. 7, of 1851.

Cases of larceny where property does not exceed 10s. Larceny above 10s. must be tried in Freetown.

Witnesses depose falsely as to value.

If law strictly enforced, would be so at cost of social order.

Middle course adopted by present Commandant.

Painful position in which the Civil Commandant is placed.

Redress desired.

2. His Lordship will remember that the village of Bunth, the official head-quarters of Sherbro, is 120 miles distant from Freetown, while the only way of communicating between the two places is by water, along a dangerous coast, opportunities of passage being uncertain, and generally without comfort. Moreover, when the parties do even arrive at Freetown, they are there liable to detention from delays through postponements or adjournments of the Courts or of cases. And, besides, Sherbro being between 3,000 and 4,000 square miles in extent (equal in size to the area of the peninsula of Sierra Leone and all the other districts, both which, together with Sherbro, form what is known as the Settlement or Colony of Sierra Leone), the distance from Freetown of some places in Sherbro is considerably greater than that of 120 miles between Bunth and Freetown. As a general rule, therefore, it is ruinous for a poor man to have to attend the Court in Freetown, and it is a severe tax upon merchants, not only in actual money spent, but in serious loss of time and opportunity; while justice is dispensed in Sherbro only in dribbles, and social order could not be maintained there in a peaceful manner if the Commandant did not at times introduce a kind of law of his own, as will hereinafter be detailed.

3. By the Treaties of Cession in 1861, the laws of Sierra Leone theretofore passed were adopted in a wholesale manner, without thought of their fitness, for the regulation of society in Sherbro. One of the laws so included was an Ordinance No. 7 of 1851, "An Ordinance for the Summary Punishment of Persons guilty of Petty Thefts," which law, as its date shows, was passed before the Settlement of British Sherbro was ever thought of. Under this Law the Civil Commandant, who, among his several functions as *factotum* of the Settlement, has such jurisdiction as is given to the police magistrate of Freetown, may try cases of larceny wherein the value of the property stolen does not exceed 10s., which value the magistrate (the Commandant in this view) must inquire into and affix before entering into the complaint. All cases wherein the value exceeds 10s. must be tried by the Supreme Court in Freetown. Now, the hardship of this requirement could not be borne by the community had not Commandants shut their eyes to the law and their ears to false swearing (which is demoralizing to both suitors and Commandants, as I will now relate).

4. When I arrived at Sherbro, and cases of larceny were brought before me, I found that whatever might be the value above 10s. of the property stolen, the witnesses were ready to state on their oaths that the value was only 10s. Of course, the false-swearing, which had become habitual in such cases, was not intended to injure the prisoners, but to save the prosecutors from having to go to Freetown. I at first intimated that I could not give judgment in cases where the value of property stolen amounted to more than 10s., and that such cases must be sent on to Freetown; but as I found that such a determination, if carried out, would be most injurious to social order in Sherbro,—the inhabitants being ready to let the robbers go free, rather than that the prosecutors should themselves be punished by having to go to Freetown,—I decided to follow what seemed to me to be a less evil course, and to allow prosecutors to charge for a part only of the property stolen. Thus, in a case where a pair of boots, of the value of 15s. or 16s., had been stolen, I made the prosecutor charge for only one boot; and where other goods have been stolen, only a portion, of a value not exceeding 10s., has been charged for. His Lordship will understand how painful a position I find myself placed in when driven to act thus, acting on the letter of the law, and avoiding its spirit; and I should feel myself degraded by the course I have been taking, had I not a consciousness of having administered justice, if not strict law, and had I not been prompted by a desire to preserve some order in the community, and been sustained by a hope that some redress might be had from the Government eventually. I humbly beg that such redress may be at once given.

* No. 10 of January 5, 1871, from Civil Commandant to Colonial Secretary (Appendix A 1).

† Colonial Secretary's letter, No. 69, 18th January, 1871 (Appendix A 1).

Compound larcenies.

Prosecutors punished by having to go to Freetown.

Many parts of Sherbro neglected.

Europeans may take the law into their own hands if justice not at hand.

Hitherto almost useless to appeal to the Government of Sierra Leone.

In 1867 the Government of Sierra Leone thought it reasonable that jurisdiction should be extended, but did nothing.

Matters still in *statu quo*.

In 1869 the Governor was making representations to the Secretary of State.

Reporting to the Secretary of State.

Unsuccessful attempt by Civil Commandant to get matters improved.

How grievances are redressed by the Government of Sierra Leone.

British Sherbro growing in importance.

Responsibilities of Commandant much increased.

The duties of Police Magistrate should be discharged by some one not holding the office of Civil Commandant.

A lawyer should be appointed, with the fullest jurisdiction.

5. It is not, however, with regard to the value of the property only that the distance from justice proves a grievance. Many of the larcenies are by servants, but these cases are taken as simple larcenies only, rather than the robbers should go unpunished, and in like manner are burglaries; while as to other crimes, the inhabitants would, as a rule, prefer not to prosecute than to suffer punishment themselves by having to resort to Freetown. [See specially Appendix (A), 8, in which Captain Walshe urged this plainly in 1868.]

6. From the want of proper Government supervision, it is difficult to state how far offenders go unpunished, but the utterly neglected state of many parts of this extensive district renders it an easy matter there for lawless men to commit offences without detection or capture; while at the same time, as above shown, even those persons who commit crimes within the shadow of the Commandant's presence, escape with but a very small amount of punishment. Again, the merchants have established themselves in a scattered way in various parts, and unless they be supplied with an easier means of redress than that which entails a journey to Sierra Leone, I cannot but think that they will at times take the law into their own hands.

7. It has, hitherto, been almost useless to appeal to the Government of Sierra Leone for redress in the affairs of Sherbro, therefore it is not strange that when the subject under my review has been brought to the notice of that Government, by my predecessors and myself, but little has been said and nothing has been done by that Government. In November 1867, in reply to a representation made by Lieutenant Gilbert, then Acting Manager of Sherbro, respecting further powers being given to the Manager (now called Civil Commandant) of Sherbro, to dispose of cases where the value of the stolen property exceeded 10s., the Government of Sierra Leone admitted [see No. 238 from the Colonial Secretary, dated 9th November, 1867, Appendix (A), No. 2] "the request a reasonable one;" adding, however, the following characteristic reservation: "To effect this, however, the law would have to be altered; this matter must, therefore, stand over for a time." The matter did stand over, and is standing over still, after an interval of seven years, although, in the meanwhile, Captain Ross, at that time Acting Civil Commandant, had, on the 19th of August, 1869, again brought the hardship inflicted upon this district to the notice of the Government at Sierra Leone. The answer on that occasion was [see Colonial Secretary's letter No. 639 of the 19th of August, 1869, Appendix (A), No. 3]: "His Excellency the Governor-in-chief is making representations to the Secretary of State to meet this evil." I do not know whether such representations were actually made, but I would here observe that this is not the only matter respecting which the Secretary of State has been mentioned in letters to the Civil Commandant at Sherbro, as being informed of questions of urgency in Sherbro, as on the 30th of June, 1874 [No. 968 from the Colonial Secretary, Appendix (B), No. 17] I was informed, with reference to my report upon the disgraceful want of prison accommodation in this Settlement, that the Governor-in-chief was "quite aware of it, and has reported home on the subject." Upon the disgraceful defect in prison accommodation, I hope soon to have the honour to report to his Lordship.

8. As will be seen by Appendix A, No. 4, I have myself, since my arrival, more than once tried to draw the attention of the Government at Sierra Leone to the necessity of doing something to provide this district with readier means of getting justice, but I have not succeeded as did my predecessors. Their letters were answered, and they were favoured with dilatory replies; my reports have not even been acknowledged. This masterful silence is one of two methods, according to the statesmanship of Sierra Leone, of healing grievances, the other being that of procrastination, as shown in the answers to my predecessors. His Lordship will find my letters in the Appendix.

9. Sherbro is a Settlement which is growing in importance in spite of many obstructions. The spread of civilization within the territory induces the inhabitants to wish to have recourse to recognized authority (the Queen's law, as the natives call it) rather than to "country fashions." Thus the responsibilities of the Civil Commandant—the only Administrative Official here except the Deputy-Collector of Customs—are now such as to render his duties, or rather what should be done by Government Officers, far more than what one man can properly perform. Therefore it would be mocking justice if I suggested that it would satisfy the community if only the jurisdiction of the Commandant (in his quality as Police Magistrate) were extended. If such a remedy were offered, the Commandant would then have to confine himself to the duties of a Magistrate, and it would be necessary to appoint other officers to do the work of the numerous offices which have been heaped upon the Civil Commandant. But, besides these objections, there is a necessity—a very pressing one, for the appointment of some judicial functionary to administer within Sherbro itself, not only a larger jurisdiction but the largest jurisdiction known to Colonial Courts. Some sensible and honest man, not necessarily a genius, but a lawyer by training,

should be appointed at a salary of 500*l.* a-year, with a house (which house should be weather-proof, and not situated on one of the most unwholesome spots of ground in Sherbro). This officer should be able to hear complaints of every degree, from the picking of a pocket to that of murder, in which latter case he might be assisted by a jury of five or seven persons, and he should have the fullest jurisdiction in civil causes, and he might be called Recorder or Chief Magistrate, or somehow else which, without exciting pretension in him, should convey an idea of authority to others. A working-man lawyer, a man with but very little practice, but one able to do if only he could gain an opportunity, is the kind of man wanted.

Might be assisted by a jury of five or seven persons.

10. The only objection which the Authorities at Sierra Leone could raise to such an appointment would be that of expense. Now, the details of one grievance from which this neglected territory suffers lead to the disclosure of others; wherefore I would observe that the inhabitants of Sherbro complain bitterly that much of the money raised from them is spent upon Sierra Leone. I have been unable to procure the information which would test the correctness of this claim, as a considerable quantity of the taxable imports of Sherbro are bonded at Sierra Leone. (The fact that this Settlement has been hitherto kept out of a bonding warehouse, is a grievance respecting which the Colonial Government have expressed some good intentions, but there is yet no bonding warehouse in Sherbro). I have twice applied for that portion of the information which the books of the bonding warehouse would give, and have twice been favoured with answers of an unsatisfactory nature.—Appendix A, Nos. 5 and 6.

Inhabitants of Sherbro complain that much money taken in taxes and but little spent.

The Colonial Government may on this occasion think right to obtain this information. I cannot, however, but believe that there is considerable truth in the allegation of the inhabitants, and, believing that these are right, I venture to think that his Lordship will not consider that they ask too much when they beg that justice may be rendered accessible to them by such an appointment as I have indicated, the expenses being borne by the general funds of the Colonial Government, to which they so largely contribute.

Want of a bonding warehouse in Sherbro.

Prayer that justice may be rendered accessible to the inhabitants of British Sherbro.

(Signed)

N. DARNELL DAVIS,

Civil Commandant of British Sherbro.

APPENDIX (A).

(A 1.)

Sir,

Colonial Office, Sierra Leone, January 18, 1871.

I have the honour, by direction of his Excellency the Governor-in-chief, to inform you that your letter of the 5th instant, reporting that you were subpoenaed to attend the Supreme Court in Freetown as witness in the case of *J. S. Caulker v. Company of African Merchants*, having been submitted for Mr. Montagu's remarks.

That gentleman states that the subpoena was issued by his instructions.

That justice in criminal and civil cases is obstructed by the difficulty of getting witnesses from Sherbro, owing to the mode of conveyance being difficult, highly inconvenient, and dangerous.

The nuisance to the Government suitors and witnesses cannot be abated without some fresh law, the form of which Mr. Montagu is unable to suggest.

If, however, you have not been paid, or had tendered to you a reasonable account to pay your expenses, you are not bound to obey the subpoena.

I have, &c.

(Signed)

J. J. KENDALL, *Colonial Secretary.*

Captain Walshe,

Commandant, Sherbro.

(A 2.)

Sir,

Secretary's Office, Sierra Leone, November 9, 1867.

Your letter of the 28th ultimo, respecting further power being given to the Manager of your district to dispose of cases where the value of the stolen property exceeds 10*s.*, has been submitted to his Excellency the Governor-in-chief.

His Excellency thinks the request a reasonable one; to effect this, however, the law would have to be altered; this matter must, therefore, stand over for a time.

I have, &c.

(Signed)

A. PIKE, *Acting Colonial Secretary.*

To Lieutenant Gilbert,

Acting Manager, British Sherbro.

(A 3.)

Sir,

Colonial Office, Sierra Leone, August 19, 1869.

With reference to that portion of your letter of the 9th instant, stating that, to meet the ends of justice without detriment to commercial operations in the Sherbro, it would be highly desirable to give the Civil Commandant power to deal with cases of larceny up to 50*l.*, &c., I have the honour, by direction of his Excellency the Administrator-in-chief, to inform you that his Excellency the Governor-in-chief is making representations to the Secretary of State to meet this evil.

I have, &c.

(Signed)

JOHN ASHWOOD, *Acting Colonial Secretary.*

Captain W. J. Ross,

Acting Civil Commandant, British Sherbro.

(A 4.)

Sir,

Custom-House, Sierra Leone, September 25, 1874.

With reference to your letter of the 21st instant (received yesterday), requiring to be furnished with a Return of Duties on goods taken out of bond and shipped for Sherbro, during each of the years, from 1868 to 1873, both inclusive—

I have the honour to state that it will occupy some considerable time to prepare and copy the return you require, and as the clerks in this Department are all engaged, I shall have to submit your letter to his Excellency the Administrator-in-chief, and to ask his permission to employ an extra clerk for that purpose.

I have, &c.

(Signed)

JOHN MEHEUX, *Acting Collector.*

To the Civil Commandant of Sherbro,

&c.

&c.

&c.

(A 5.)

Extract from a Semi-official Letter from Mr. Ashwood, Acting Colonial Secretary, to the Civil Commandant of British Sherbro, dated July 20, 1874.

The Revenue and Expenditure Returns would be with the Auditor-General.

The Returns, however, asked for would take some time in copying, and I doubt much whether in the present state of matters you could get them yet awhile.

(A 6.)

Sir,

British Sherbro, August 24, 1874.

As I have reason to believe that the Legislature of Sierra Leone will shortly meet to consider the ways and means for 1875, I beg most respectfully to lay before his Excellency the utterly unrepresented state of this district in the Council of Government.

2. As far as I have yet learnt, even in these depressed times, the trade of British Sherbro in exports is about one-third of the exports of the whole Settlement called Sierra Leone, and including Sherbro. There is not, however, one member of this community in the Council, while, after enquiry, I have been told that there is not, at the present time, a single resident member of Council who has ever been in British Sherbro since it became a territory of Her Majesty.

3. Should his Excellency the Administrator not know the members of this community who might be eligible for a seat in Council, I would suggest the name of Mr. Lionel Hart as the fittest person to represent the whole community.

I have, &c.

(Signed)

N. DARNELL DAVIS, *Civil Commandant.*

The Acting Colonial Secretary,
Sierra Leone.

(A 7.)

Sir,

Civil Commandant's Office, British Sherbro, September 22, 1868.

I have the honour to solicit the attention of his Excellency the Governor-in-chief to the serious disadvantages under which the inhabitants of the Sherbro labour in consequence of all the sessions of the Supreme Courts being held in Freetown.

2. My own experience is that abundance of crime is committed, and the criminals escape prosecution and punishment, because the inhabitants will not bring the crime to the notice of the authorities or the police, as they are afraid that if the prisoners were apprehended and tried for the offence they would be obliged to abandon their business in the Sherbro most probably for a month, in order to proceed to Freetown to attend the sessions of the Supreme Court.

3. I have lately received notice from Mr. Rainy that he will subpoena me to appear in Freetown at the November sessions of the Supreme Court in a case of which I know nothing, *Lefevre v. Edwards.*

I believe some dispute between those persons was brought before the Magistrate in this district in the month of December last during my absence in England. I only mention this to show that the public here are to be put to some inconvenience by my absence from this for an indefinite period, and myself to considerable expense, trouble, and annoyance, in a trifling case, where I am informed the original matter in dispute was the possession of an old barge, the value of which when new might be over-estimated at perhaps 4*l*.

4. The following two paragraphs with reference to civil actions occur in a petition which I understand was forwarded by the inhabitants of British Sherbro to his Excellency Colonel Blackall, lately Governor-in-chief of the West Africa Settlements, and the truth of which will be apparent to his Excellency :—

“That your Petitioners further beg leave to point out to your Excellency and Honourable Council that even in cases where it is possible to serve a writ in the Sherbro, the expense of the action is at all times enormously increased, and frequently to a ruinous extent, by the extra cost of serving the summons, and in a far higher degree by the suitors with their witnesses having to proceed to Freetown to have their differences adjusted.”

“That at all times it is difficult to get witnesses to proceed to Freetown, but that difficulty is increased to a vexatious extent in cases where the sitting of the Court is adjourned, or where one of the suitors obtains a postponement of the trial.”

5. I sincerely trust his Excellency the Governor-in-chief may be moved to take into his favourable consideration the means I respectfully suggest for removing the disadvantages I have mentioned, viz., the appointment of a Judge to hold a sessions of the Supreme Court in the district at least twice in every year.

I have, &c.

(Signed) H. H. H. WALSHE, *Civil Commandant*.

The Hon. the Acting Colonial Secretary,
Sierra Leone.

Chapter III.—*The Common Gaol of Sherbro.*

1. It was not until the 17th of September, 1870, that, by Ordinance No. 2 of 1870, the building used as a prison in Sherbro was constituted, legally, a common gaol for the detention of prisoners, although (Appendix B 2) convicts had in 1863 or 1864 been sent from Sierra Leone to Sherbro to be kept at hard labour there. Gaol proclaimed only in 1870.

2. There is not a single police lock-up of any description throughout the district of British Sherbro (Appendix B 16, par. 12, and B 20). Not one police lock-up throughout Sherbro.

3. The premises used as a gaol in Sherbro do not belong to the Government, but are rented at 24*l*. a year from a private individual. Gaol premises rented only.

4. The situation of the building at present used as the common gaol in Sherbro was described (Appendix B 3) by Mr. Coulson, on the 22nd July, 1872, as—“about the worst that could possibly have been selected, as it is bounded on the north and east by swamps which must have an unhealthy tendency, especially where so many men are huddled together in a compartment of such confined space.” Pestilential situation of gaol.

5. The gaol is of such slender construction as not to be safe for the keeping of prisoners (Appendix B 14, 3, and 17, par. 8), consisting of a country house of wood, with thatched roof, and sides wattled and plastered with mud, and is guarded only with an enclosure of small fence sticks. When I arrived in Sherbro I found that, as a preventive to escape, most of the prisoners were, on going to bed at night, either hand-cuffed two-and-two or shackled by the feet in pairs (Appendix B 16, par. 8), and in this brutal way they were packed together to sleep as best they could. I am happy to say that the gaoler has found himself able to dispense with this precaution, in a measure, I think, through my having sentenced four prisoners to flogging, two for breaches of prison discipline and two for escape, and to my having made it known that captured run-aways should surely be flogged as well as have their terms of imprisonment extended. Slender construction renders gaol unsafe.

6. There is no room for women in the hut, the gaol being nothing else than a mud hut; there is no sick room; and the water which is drawn from a well near is very bad. There is no house for the gaoler. Until lately prisoners put into irons at night for safety.

7. Until the month of August last (Appendices 5, B 21 to 23) the food consisted only of a quart of rice, with a little pepper and salt to each man, although the prisoner's work might consist of digging trenches or other heavy labour. Occasional floggings useful.

8. The dimensions of the whole hut are length 29 feet 4 inches, breadth 20 feet, height to wall plate 8 feet. Within the hut are comprised two cells for convicts, one cell for only one debtor, one store closet 14 feet long and 8 feet wide, one compartment in which a warder sleeps and which is 8 feet long and 6 feet wide, one covered entrance to the structure, to the right hand of which is what is called the dispensary, that is to say, there are one or two shelves there with bottles of medicine on them. Food.

Dimensions of gaol building.

Room for one debtor.

9. The debtor's room, which is made to hold but one person, is 10 feet long and 6 feet wide.

Two cells for convicts.

10. It is, however, to two cells for convicts that I would particularly draw his Lordship's attention. One cell is 14 feet 2 inches long and 7 feet wide, and the other is 14 feet 2 inches long and 12 feet wide. In cell No. 1 are two beds, and in cell No. 2 five beds. These beds are made of wattle, and the gaoler, Mr. Jobbling, told me on my arrival that they had been put up five months before, as it was found that worms got into the prisoners' flesh when they slept on the ground; although it appears (from Appendix B 4) that the Assistant Colonial Surgeon had so far back as the 18th July, 1872, recommended the introduction of country beds on account of the dampness of the mud floor, owing to the extreme inclemency of the weather.

Brutal overcrowding from want of space.

11. In these two small compartments all the prisoners in the district undergo their sentences, and, however many there may be under sentence, they are crammed into these two confined spaces. At times about thirty men have been therein imprisoned. The number at present in gaol is twenty-five, including a boy of about 13 years, whom I have directed the gaoler to keep in the debtor's compartment, so that he may not be made worse by contact with depraved men. There are, therefore, twenty-four in the two cells, which is the same number when, on the 25th June, 1874 (Appendix B 16) I reported to the Colonial Government upon the defective state of the gaol, and it will, therefore, be fit to quote the distribution of the men when locked up for the night at that time:—

When twenty-four men in gaol, how housed.

				Height.	Number of Convicts sleeping in each Bed.
				Feet.	Men.
Cell No. 1. 14 ft. by 7 ft., height 8 ft. to wall plate. Cell No. 2. 14 ft. by 12 ft., height to wall plate, 8 ft.	No. 1 bed ..	..	..	7×8	5
	No. 2 ..	..	..	6×6	5
	No. 3 ..	..	..	6×6	4
	No. 4 ..	..	..	6×4	2
	No. 5 ..	..	..	6×6	2
	No. 6 ..	..	..	6×3	4
	No. 7 ..	..	..	6×3	2
					24

Less than 100 cubic feet of foul air to each man.

12. His Lordship will observe from the foregoing statement that the prisoners now confined in the gaol have only about 100 cubic feet of air each when locked up at night, although the Assistant Colonial Surgeon is of opinion (Appendix B 5) that each man should have not less than 400 cubic feet of air in order to enable the prisoners "to maintain their health and secure the surrounding atmosphere from being vitiated by cutaneous and respiratory exhalations." To which the doctor added, "The gaol is insufficiently supplied with windows and, therefore, defectively ventilated."

What is called a gaol only a mud hut.

13. As the word gaol usually implies something like a building of size and strength, I think it right to repeat that the structure I have above described is only a mud hut or country-house.

Defective state of gaol zealously brought to notice of Government by Mr. Coulson.

14. I beg leave to call his Lordship's attention to the zeal with which my predecessor, Mr. Coulson, urged upon the notice of the Government the defective state of the gaol.

(Signed) N. DARNELL DAVIS,
Civil Commandant of British Sherbro.

Sherbro, March 1, 1875.

APPENDIX (B.)

(B 1.)

Sir,

Colonial Office, Sierra Leone, October 9, 1869.

I have the honour to request that you will be good enough to let me know, as early as possible, for the information of his Excellency the Administrator-in-chief, whether the different buildings used as gaols at Sherbro have ever in any way, by proclamation or otherwise, been constituted legal common gaols, to which prisoners can be committed for imprisonment and hard labour.

I have, &c.

(Signed) JOHN ASHWOOD, Acting Colonial Secretary.

Captain H. H. H. Walshe,
Civil Commandant, British Sherbro.

(B 2.)

Sir,

Civil Commandant's Office, British Sherbro, October 12, 1869.

I have the honour to state, in reply to your letter of 9th October, 1869, that I am not aware that any buildings in the Sherbro were ever constituted legal common gaols or houses of correction by proclamation.

I remember that in the year 1863, or beginning of 1864, convicts were sent from Freetown to be kept to hard labour in the Sherbro, and there may have been some proclamation on the subject made then, but if so it was not published here; I am not aware of its existence.

I have, &c.

(Signed)

H. H. H. WALSH, *Civil Commandant.*

To the Hon. the Acting Colonial Secretary,

&c.

&c.

&c.

(B 3.)

Sir,

Commandant's Office, Sherbro July 22, 1872.

I have the honour to forward inclosed a copy of a letter dated 18th July, 1872, which I have received from Dr. W. B. Davies, Assistant Colonial Surgeon for this district, together with a copy of his report upon the sanitary condition of the gaol in Bunth, dated 22nd February, 1871, and addressed to Captain Walshe, referred to in his letter. I cannot too strongly recommend that Dr. Davies' suggestions be carried out immediately, as the present condition of the gaol is even worse than at the time of his report, made eighteen months ago. The late Colonial Surgeon, Dr. McCoy, visited the Sherbro in the latter part of the year 1870, and stated to me his intention of reporting strongly upon the condition of the gaol.

The building at present used for the purpose is a country house, the walls consisting of a single row of wattles plastered with mud and white-wash, containing only three rooms, of the following dimensions, viz., one for the use of convicts 14 ft. by 12 ft., and one for the use of driver 10 ft. by 6 ft., and one for debtors and unconvicted prisoners 9 ft. by 6 ft. The gaoler resides in a house contingent to the gaol. The house is rented from a native merchant, Mr. Campbell, for an annual payment of 24*l.*

I would respectfully suggest that I be authorized to select a piece of unoccupied land to be set apart for the purpose, if it be his Excellency's pleasure to have a new building erected, which by a rough estimate I consider could be done for 100*l.*, or the amount of four years' rent of present building.

Referring to the first paragraph of Dr. Davies' letter, I have ordered bedsteads to be made of bamboo for temporary use. The present site is about the worst that could possibly have been selected, as it is bounded on the north and east by swamps, which must have an unhealthy tendency, especially when so many men are "huddled" together in a compartment of such confined space.

I have, &c.

(Signed)

GEO. COULSON, *Commandant.*

The Officiating Colonial Secretary,

Sierra Leone.

(B 4.)

Sir,

Victoria, Sherbro, July 18, 1872.

I have the honour to report that, in consequence of the extreme wetness of the present season, the mud floor of the gaol at Bunthe has become so damp as to render it unfit for the inmates to lie upon.

In addition to the country mats which they now spread on the floor to sleep upon, I would recommend moveable country bedsteads, which can be easily made by themselves, without any expense to the Government.

The other defects noticeable in the sanitary condition of the gaol have been detailed in my letter of February 22, 1871, to your predecessor, Captain Walshe, and I therefore consider it unnecessary to specify them here.

I have, &c.

(Signed)

WM. B. DAVIES, M.D., *Assistant Colonial Surgeon.*

G. C. Coulson, Esq.,

Civil Commandant, Sherbro.

(B 5.)

Sir,

Victoria, Sherbro, February 22, 1871.

Having inspected the gaol at Bunthe, I beg leave to bring to your notice the various sanitary defects therein, which, in my opinion, require prompt and immediate rectification.

All the available rooms in the gaol, affording no more than 6,223 cubic space, are insufficient to accommodate twenty-nine convicts, each of whom should have no less than 400 cubic feet of air, in order to enable them to maintain their health, and secure the surrounding atmosphere from being vitiated by cutaneous and respiratory exhalations. The gaol is insufficiently supplied with windows, and is, therefore, defectively ventilated.

The latrines are too small for the present number of convicts, and too near the house not to

affect the health of the inmates. A strong solution of carbolic acid should be thrown into them every day.

The drinking water contains such a large quantity of clay as to lose its transparency and clearness, and to become white and turbid. It is obtained from a well which is almost in a line with, and on a lower level than the above-mentioned latrines, by the contents of which it is, in all probability, contaminated in the rainy season. It should be boiled, and then filtered, to render it fit to drink.

The food, consisting only of a quart of rice, with a little pepper and salt to each man per diem, and being consequently deficient in nitrogenous and fatty substances, is insufficient to maintain the strength and health of a convict at hard labour. An addition of meat or fish, with a little palm oil twice or thrice a week, will not be out of place.

I have, &c.

(Signed) WM. B. DAVIES, M.D., *Assistant Colonial Surgeon.*

Captain Walshe,
Commandant, Sherbro.

(B 6.)

Sir, *Colonial Secretary's Office, Sierra Leone, August 21, 1872.*

With reference to your letter of 22nd ultimo, covering the Assistant Colonial Surgeon's report on the gaol at Bunthe, with your recommendation—

I am directed by his Excellency Governor Pope-Hennessey to inform you he has approved of the expenditure of 100*l.* to erect a new building on a piece of unoccupied land to be set apart for that purpose, and of the previous site being changed; and also of the moveable country bedsteads being allowed.

I have, &c.

(Signed) J. J. KENDALL, *Colonial Secretary.*

J. C. Coulson,
Commandant, Sherbro.

(B 7.)

Sir, *Commandant's Office, Sherbro, January 17, 1873.*

I have the honour to refer you to your letter of 21st August, 1872, in reply to mine of 22nd August, 1872, on the subject of the erection of a gaol at Bunthe, in which you conveyed to me his Excellency's sanction of the expenditure of 100*l.* for that purpose. Since the receipt of that letter there has been, as you are aware, a correspondence relating to the removal of the Government quarters in this district from Bunthe to Bendoo, as per letters in margin. I beg now respectfully to be informed whether I shall proceed with the erection of a gaol in Bunthe or defer such until I receive further instructions.

I have, &c.

(Signed) G. C. COULSON, *Commandant.*

The Hon. the Colonial Secretary,
&c. &c. &c.

(B 8.)

Sir, *Colonial Secretary's Office, Sierra Leone, March 1, 1873.*

In reply to your letter of the 17th January last, relative to the erection of a gaol at Bunthe—

I am directed by his Excellency Governor Keate to inform you that the subject will receive his consideration on his return from the Leeward Coast.

I have, &c.

(Signed) JOHN ASHWOOD, *Acting Colonial Secretary.*

G. C. Coulson, Esq.,
Commandant, Sherbro.

(B 9.)

Sir, *Commandant's Office, Sherbro, June 12, 1873.*

Referring to my letter of this date, I would take this opportunity of calling your attention to my letter of 17th January, on the subject of the erection of a gaol in Bunthe.

I have, &c.

(Signed) G. C. COULSON, *Commandant.*

The Colonial Secretary,
Freetown.

(B 10.)

Sir,

Colonial Secretary's Office, Sierra Leone, June 18, 1873.

In reply to your letter of 12th instant, on the subject of the erection of a gaol in Bunthe, I am directed by his Excellency the Administrator to refer you to letter of 1st March last from this office.

I have, &c.

(Signed) JOHN ASHWOOD, *Acting Colonial Secretary*

G. C. Coulson, Esq.,
Commandant, Sherbro.

(B 11.)

Sir,

Commandant's Office, Sherbro, June 24, 1873.

I have the honour to acknowledge the receipt of your letter of 18th June, 1873, in reply to mine of 12th June, 1873, on the subject of the erection of a gaol at Bunthe, in which you refer me to letter of 1st March from your office.

I would respectfully remind his Excellency the Administrator that letter of 1st March conveyed an intimation from his Excellency the late Governor Keate that the subject of my letter would receive his Excellency's consideration upon his return from the Leeward Coast, and in consequence of his lamented demise I made the application again in my letter of 12th June.

I have Governor Hennessey's authority to expend 100% in the erection of a gaol at Bunthe, but have refrained from incurring the expense up to the present for the reasons stated in my letter of 17th January, 1873.

I trust his Excellency the Administrator will excuse my persistent correspondence on this subject, but I feel I would not be doing my duty if I did not continually bring before the notice of the Colonial Government the sanitary ill-condition and situation of the present building used as a gaol in Sherbro, the state of which I have fully reported in my letter of 22nd July, 1872, which I beg you will lay before his Excellency.

The site of the gaol is the worst that could be fixed upon, and placed in the centre of the town. The returns, as taken from the last six sick reports, show an average of 25 per cent. daily. In the face of these sick reports, and in consequence of the prevailing extent of small-pox, I feel bound to bring the matter again before his Excellency's notice.

I have, &c.

(Signed) G. C. COULSON.

The Colonial Secretary,
Sierra Leone.

(B 12.)

Sir,

Colonial Office, Sierra Leone, July 1, 1873.

I am directed by his Excellency the Administrator to acknowledge the receipt of your letter of the 24th ultimo, on the subject of the erection of a gaol at Bunthe, and to inform you that it will be laid before the Administrator-in-chief on his arrival at this Settlement.

I have, &c.

(Signed) J. J. KENDALL, *Colonial Secretary.*

G. C. Coulson, Esq.,
Commandant, Sherbro.

(B 13.)

Sir,

Commandant's Office, Sherbro, July 12, 1873.

I have the honour to forward the inclosed letter addressed to me by Mr. Jobling, who has come down to take charge of the gaol in this district.

I have received no official intimation from you of his appointment to the office of gaoler, or the terms under which he is appointed.

I have, &c.

(Signed) G. C. COULSON, *Commandant.*

The Hon. the Colonial Secretary,
&c. &c. &c.

(B 14.)

Sir,

Gaol Department, Sherbro, July 12, 1873.

I beg most respectfully to inform you, for the information of the Acting Colonial Secretary, that the building which constitutes the gaol house at Sherbro is very unsafe for the safe keeping of prisoners, the wall surrounding the gaol consisting of small fence sticks, which can be easily rooted up by prisoners intending to make their escape.

I further beg to inform you that the room provided for the gaoler is now occupied by debtors, and cell rooms are required also.

I most respectfully beg that a new measure may be adopted to that effect, and a nearer quarter provided for the gaoler.

I have, &c.
(Signed) W. JOBLING, *Acting Gaoler.*

G. C. Coulson, Esq.,
Commandant.

(B 15.)

Sir, *Colonial Secretary's Office, Sierra Leone, July 18, 1873.*
I have the honour, by direction of his Excellency the Administrator, to inform you that Mr. Jobling was sent to take charge of the gaol during Scott's interdiction, and that he is to receive pay at the same rate.

I am also directed to inform you that all communication from you relative to the repairs required to public buildings at Sherbro will be duly laid before his Excellency the Administrator-in-chief, whose arrival here his Excellency is daily expecting.

I have, &c.
(Signed) J. J. KENDALL, *Colonial Secretary.*

G. C. Coulson, Esq.,
Commandant, British Sherbro.

(B 16.)

Sir, *Civil Commandant's Quarters, Bunth, June 25, 1874.*
I have the honour to report, for the information of his Excellency the Governor, that having carefully inspected the common gaol at Bunthe I feel bound to inform his Excellency of its condition.

2. The building is one rented by the Government for the sum of 2*l.* a month, and besides the ground which the structure covers, there is but little land on the premises, which are enclosed by a pailing which never could have been any great security against escape.

3. Within the inclosed space is the gaol itself ; a shed recently put up by the gaoler, and attached to the gaol, is a lean-to shed used as a kitchen.

4. The sides of the gaol are made of mangrove posts, closed in with wattle and mud, and the roof is mounted with mangrove rafters, and covered in with bamboo palm leaves. Its dimensions are:—

Length, 29 feet 4 inches.
Breadth, 20 feet.
Height to wall plate, 8 feet.

5. The whole structure comprises:—

- Two cells for convicts ;
- One cell for one debtor ;
- One store closet, 14 feet long, and 8 feet wide ;
- One compartment in which a warder sleeps, 8 feet long and 6 feet wide ;
- One covered entrance to the structure, to the right hand of which is what is called the "Dispensary," that is to say, there are one or two shelves there with bottles of medicine on them.

6. The debtors' room is made to hold but one person, and is 10 feet long and 6 feet wide.

7. It is, however, to two cells for convicts that I would particularly draw his Excellency's attention. One cell is 14 feet long by 8 feet* in width, and the other is 14 feet long and 12 feet wide. In cell No. 1 are two beds, and in cell No. 2 five beds. These beds are made of wattle, and were put up by the gaoler some five months ago of his own motion, as he tells me he found that worms got into the prisoners' flesh when they slept on the floor. In these two small compartments all the prisoners in the district undergo their sentences, and, however many there may be under sentence, they are crammed into these two confined spaces. At times about thirty men have been imprisoned therein, and on the day of my arrival the number of convicts was twenty-four. To show how these persons are disposed of when locked up for the night, I subjoin the following table:—

No. 1 Cell—Dimensions, 14 ft. by 8 ft., height to wall. No. 2 Cell—14 ft. by 12 ft.

					Size.		Height.	No. of Convicts sleeping on each Bed.
					Ft.	Ft.	Feet.	Men.
No. 1 bed	..	..	..	..	7	by 8	3	5
2 "	..	..	..	..	6	6	3	5
3 "	..	..	..	..	6	6	2	4
4 "	..	..	..	..	6	4	2	2
5 "	..	..	..	..	6	6	2	2
6 "	..	..	..	..	6	3	2	4
7 "	..	..	..	..	6	3	2	2
Total					..		..	24

* Should have been 7 feet only.

Thus I may say that the only term applicable to the condition of the men when they have been put to bed, is that they are then packed together like sardines.

8. The want of security, too, in this structure is so patent, that before the prisoners go to bed at night most of them are either handcuffed two-and-two, or shackled by the feet in pairs. What authority there may be for this very uncommon procedure I cannot say, but the gaoler informs me that Mr. Coulson told him to do so. I must say, however, that I quite agree that if the gaoler did not thus chain and handcuff the men, they would surely escape.

9. There is no woman's ward in the prison.

10. There being no cottage for the gaol keeper, he does not sleep at the gaol, which is to be regretted, as he is the most powerful man on the prison staff.

11. If his Excellency will authorize me to do so, I will select a fit plot of Government land, and erect upon it a new prison of something like proper dimensions and strength. I think this could be done by prison labour at but little cost to the Colony.

12. While on this subject I would draw the attention of the Government to the fact that there is not a single police lock-up in the district.

I have, &c.

(Signed) N. DARNELL DAVIS, *Civil Commandant*.

The Acting Colonial Secretary,
Sierra Leone.

(B 17.)

Sir,

Colonial Secretary's Office, Sierra Leone, 30th June, 1874.

In reply to your letter of 25th instant, reporting the state of the gaol at Bunthe, I am directed by his Excellency the Governor-in-chief to inform you that he is quite aware of it, and has reported home on the subject.

In the meantime, his Excellency will be glad if you can furnish an approximate estimate of what the cost would be for the building suggested in paragraph 11 of your letter.

I have, &c.

(Signed) JOHN ASHWOOD, *Acting Colonial Secretary*.

N. D. Davis, Esq.,
Commandant, Sherbro.

(B 18.)

Sir,

British Sherbro, July 10, 1874.

In reply to the second paragraph of your letter of 30th June, I have the honour to inform you that the cost of the building which I propose to erect as a gaol, with the necessary out-houses, would be about 120*l*.

2. The rent now paid by Government for the premises used as a gaol is 24*l*. per annum, and the estimated cost would, therefore, cover five years' rent, while at the end of that period the Government would be in possession of a building of its own property, and fit for the service for which it is required.

I have, &c.

(Signed) N. DARNELL DAVIS, *Civil Commandant*.

The Acting Colonial Secretary,
Sierra Leone.

(B 19.)

Sir,

Colonial Secretary's Office, Sierra Leone, July 20, 1874.

In reply to your letter of 10th instant, stating that the cost of the erection of a new gaol would be about 120*l*., I am directed by his Excellency the Governor-in-chief to state that he thinks the matter had better remain over until the Colonial Surveyor's return and next year's estimates are under consideration.

I have, &c.

(Signed) JOHN ASHWOOD, *Acting Colonial Secretary*.

N. D. Davis, Esq.,
Commandant, Sherbro.

(B 20.)

British Sherbro, August 10, 1874.

Paragraph 4. In the third place, I would ask his Excellency to place on the estimates a sum sufficient to enable me to erect a new gaol, and to build lock-ups, of which I would again remark there is not one in this district.

I have, &c.

(Signed) N. DARNELL DAVIS, *Civil Commandant*.

The Acting Colonial Secretary,
Sierra Leone.

(B 21.)

Sir,

British Sherbro, July 24, 1874.

Having received two complaints from convicts respecting the small allowance of food which they received, I applied to Dr. Davies for a report upon the matter, and have the honour to inclose his reply.

2. The labour which is allotted to the prisoners, especially that of digging trenches, is of such a nature as to require that the men be not poorly fed, though their food be of the most common kind; and I would, therefore, strongly urge the good policy, as well as the propriety, of adopting the recommendations of Dr. Davies. The condition of the gaol itself, an institution which I hold to be a disgrace to even the West Coast of Africa, is, I think, quite enough to make the convicts sufficiently miserable, without their not receiving a proper quantity of food.

3. I avail myself of this occasion to state that out of seventeen convicts, no less than eight are at present unfit for work, through sickness.

I have, &c.

(Signed)

N. DARNELL DAVIS, *Civil Commandant.*

The Acting Colonial Secretary,
Sierra Leone.

(B 22.)

Sir,

Colonial Secretary's Office, Sierra Leone, July 30, 1874.

In reply to your letter of 24th instant, covering complaint from the Assistant Colonial Surgeon, that the food supplied to the convicts in the Sherbro Gaol is both defective in quantity and quality, I am directed by his Excellency the Governor-in-chief to send, for your information and guidance, the inclosed copy of letter from the Colonial Surgeon, with also copy of scale of diet in Freetown Gaol.

There should not be any complaint as to the quality of the food supplied, as the contractor is bound by the terms of his contract (copy herewith inclosed) that the articles supplied "shall be of the best quality which can be procured."

I have, &c.

(Signed)

JOHN ASHWOOD, *Acting Colonial Secretary.*

N. D. Davis, Esq.,
Commandant, Sherbro.

(B 23.)

Sir,

Colonial Medical Department, Sierra Leone, July 29, 1874.

In reply to your letter of yesterday's date, with its inclosures from the Commandant at Sherbro, and his Excellency's marginal notes, I beg to state, for the information of his Excellency the Governor-in-chief, that, in my opinion, 20 ounces of cooked rice, without an allowance of meat or fish, is not sufficient food for the convicts at Sherbro who have to work at trenches. The convicts in the gaol here receive 2 lbs. of cooked rice and 2 ozs. of meat daily, as well as 1½ lbs. of foofoo. I would respectfully suggest that the convicts at Sherbro, who are under sentence for more than two months, should receive the same diet as the convicts receive in the Freetown Gaol.

With regard to there being at present eight men out of seventeen on the sick list, it would be necessary for me to know the nature of their diseases before I could give any opinion in that matter.

I have, &c.

(Signed)

FRANCIS LOVELL, *Colonial Surgeon.*

The Hon. the Acting Colonial Secretary,
&c. &c. &c.

No. 16.

The Earl of Carnarvon to Governor Kortright.

Sir,

Downing Street, April 2, 1875.

I HAVE to acknowledge the receipt of your despatch of the 12th ultimo,* forwarding a letter addressed to me by the Civil Commandant of British Sherbro, with various papers respecting the affairs of the Settlement.

2. Before examining into the questions raised by Mr. Davis, I shall await the Report which you propose to make after visiting Sherbro; but I shall, however, expect to receive it at the earliest possible opportunity.

3. The position and prospects of British Sherbro are matters of great and increasing importance; and complaints of the system of administration there have more than once been made to the Secretary of State by persons interested in the trade of the Settlement.

4. I shall, in particular, desire to learn from your Report, what portion of the revenue

of Sierra Leone is derived from British Sherbro; and, on the other hand, what is the amount of the annual expenditure of the Government there.

5. You will inform Mr. Davis that he should not have addressed himself direct to me, but to the Governor of Sierra Leone, who is the proper channel of communication, and is also the officer who is responsible to Her Majesty's Government for the proper government of the Settlement of British Sherbro.

I have, &c.
(Signed) CARNARVON.

No. 17.

Governor Kortright to the Earl of Carnarvon.—(Received May 1.)

My Lord,

Government House, March 31, 1875.

I HAVE the honour to report to your Lordship that I have made arrangements to proceed to British Sherbro on the 3rd proximo.

2. From the representations of the Civil Commandant, of persons trading at Sherbro, and of merchants in Freetown connected with the Settlement, I believe it to be of very great importance to provide better security than at present exists for the traders in that locality, and, as far as possible, to restore trade, which has of late suffered from the wars which are continually carried on outside our territory. This can only be done by a personal interview between the Governor and the Chiefs in the immediate vicinity of British territory.

3. Should any delay take place in visiting Sherbro, it will be impossible to take action in the matter until next year, as the rainy season is fast approaching, when travelling would be attended with great risk to health, and an expenditure might be incurred without a corresponding benefit.

4. As there is no man-of-war at Freetown, and there is little probability of one being available for the service within a reasonable time, I have chartered the "Sir A. Kennedy" for one month for 300*l*. I shall probably be nearly that time absent from Freetown, as I propose to visit the Boom and Kittam rivers, and have an interview with the principal Chiefs.

5. Mr. Lawson, the Government Interpreter, informs me that it was the intention of Sir A. Kennedy to have allowed stipends to several Chiefs out of British territory, conditionally that they would maintain peace, and afford protection to traders; and that he would have carried his intention into effect when he visited Sherbro in 1870 and 1871, had he been able to assemble the principal Chiefs. A Treaty was prepared, a draft of which I inclose for your Lordship's consideration. It appears to me well calculated to effect the purpose desired. I am unable, until I have conferred with the Commandant of Sherbro, to state the amount of subsidy which it would be advisable to allot to each Chief, nor am I at present prepared to furnish your Lordship with the names of those whom it would be good policy to attach to us by an annual payment.

6. In a despatch from Lord Granville, dated 29th July, 1869, his Lordship approved of the proposal of Sir A. Kennedy, that a sum not exceeding 700*l*. should be distributed among the Chiefs and Headmen of the Sherbro, with the view of protecting and encouraging the commerce in that district. That arrangement has never been carried out, I presume from the inability of Sir A. Kennedy to assemble the Chiefs on his visits to Sherbro in 1870 and 1871.

7. The course, therefore, that I propose to take, should I be fortunate enough to meet the Chiefs, is to propose to them the adoption of the Treaty, inserting the amount of such stipends as may appear to me to be fair, subject to your Lordship's approval. Should I obtain your Lordship's sanction to the completion of the Treaty, I would sign and forward it to the Commandant of Sherbro, who would witness the signatures of the several Chiefs.

I have, &c.
(Signed) C. H. KORTRIGHT.

Inclosure in No. 17.

Treaty between his Excellency Sir Arthur E. Kennedy, C.B., Governor-in-chief, of the West African Settlements, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and her Successors on the one part, and

WHEREAS peace has not hitherto existed in the above countries in consequence of the frequent resort to arms by the native Chiefs and other inhabitants for the purpose of settling their disputes; and whereas it is exceedingly desirable that peace should be established upon a firm basis, in order to ensure the prosperity of trade, the advancement of civilization and the extension of the Christian religion.

His Excellency Sir Arthur E. Kennedy, C.B., Governor-in-chief of the West Africa Settlements, being moved thereto by the earnest solicitations of the several Chiefs before above-named, has agreed to assist in completing and maintaining peace, provided the following conditions be strictly adhered to :—

ARTICLE I.

It is agreed there shall be peace between the subjects of Her Majesty the Queen of England and her successors and the subjects of the several Chiefs and their successors, parties to this Treaty, and there shall also be peace between the said several Chiefs and their subjects respectively.

ARTICLE II.

Should any difference or dispute arise between any of the Chiefs parties to this Treaty or their subjects, and that they should, after mature consideration, be unable to terminate such difference or dispute peaceably and satisfactory among themselves, they shall refer the question to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-chief of the West Africa Settlements, whose decision therein shall be final and binding upon all the parties concerned.

ARTICLE III.

Should any cause of dispute or quarrel arise between any of the Chiefs parties to this Treaty and their successors or their subjects, and any of the Kings or Chiefs to the eastward of their territories, or the subjects of such Kings or Chiefs, the same shall be made known immediately to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-chief, in order that, should his Excellency so approve, any recourse to arms may be avoided by the friendly and timely mediation of this Government.

ARTICLE IV.

The persons and property of all British subjects shall be inviolate, and no country law or custom shall be put in force against them; and they may buy or rent lands and houses within the territories of any of the said Kings and Chiefs parties to this Treaty, which shall not be entered upon without their free will and consent.

ARTICLE V.

British subjects are strictly prohibited from breaking the country laws, from interfering in any way with the quarrels of the native Chiefs or their subjects, and from aiding, assisting, and countenancing, or supporting them, directly or indirectly, against each other.

ARTICLE VI.

Should any British subject, whilst residing in any of the territories of any of the Chiefs parties to this Treaty, commit any crime against the laws of this Settlement, or shall own or possess a slave or slaves, or pawn or pledge, or receive in pawn or pledge, a man or woman, boy or girl, or deal in slaves, or be in any way directly or indirectly engaged in the Slave Trade, such British subject shall be conveyed to the nearest English magistrate, either in Sherbro or Sierra Leone, together with the witnesses for and against him, and such English magistrate shall deal with the case according to the laws then in force in this Settlement, and it is hereby agreed that the expense of conveying such British subject and the witnesses for and against him to and from British territory, and the expense incurred in the maintenance of the said British subject and the said witnesses

respectively, whilst in English territory, shall be defrayed by the Government of this Settlement, and for this purpose the magistrate aforesaid shall determine who is to be considered and treated as a witness in the case.

ARTICLE VII.

It shall not be lawful for any person whatsoever in any way to restrain the liberty of any of Her Majesty's subjects, except for the purpose of insuring his safe keeping, after the commission of an offence, until he is surrendered to the nearest English authority to be dealt with as before herein provided.

ARTICLE VIII.

All roads to the interior and to countries to the eastward of the territories of the Chiefs parties hereto, and all roads generally throughout the territories of the said Chiefs, shall be kept at all times clean and open, they are not to be shut on any pretext whatever, and all parties, British subjects, native strangers, and others shall be allowed to travel thereon free and unmolested.

ARTICLE IX.

The subjects of the Queen of England are hereby guaranteed the right of free and unrestricted legitimate traffic within the territories of the said Chiefs, and all their vessels, boats, and canoes, shall be allowed to ply unmolested on any of the rivers in any part of the territories belonging to any of the Chiefs parties to this Treaty.

ARTICLE X.

The ministers of the Christian religion shall be permitted to reside and exercise their calling, and they are to receive all honour and protection within the territories of the said Chiefs, and they shall be encouraged to establish schools for the education and proper training up of the youth of both sexes.

ARTICLE XI.

If the Governor shall at any time or times appoint a magistrate to visit and remain in any of the territories of the said Chiefs for the purpose of carrying into effect the Act of the 24 and 25 Vict., cap. 31, for the protection of Her Majesty's subjects and for securing due adherence to the stipulations of this Treaty, the person and property of such magistrate shall be inviolate, and he shall receive all honour and protection, and the Chiefs, parties to this Treaty, will permit him to visit and dwell in and exercise within such territory over Her Majesty's subjects inhabiting or being within the same such powers and authorities as shall by his commission be specially granted to him; and the said Chiefs will, to the utmost of their power, aid and assist him in the execution of such powers and authorities.

ARTICLE XII.

The Governor or officer administering the Government of this Settlement shall have the right to demand the surrender of criminals or other persons being British subjects, or liberated Africans, or others resident in any of the territories of any of the Chiefs parties hereto accused of any crime or offence specified in the Schedule to this Treaty annexed committed within the Settlement of Sierra Leone or its Dependencies, or within the territories of any of the Chiefs aforesaid, and cognizable by the laws of England, for the purpose of being tried for such offence in Sierra Leone, and the Kings and Chiefs, parties to this Treaty, do hereby bind themselves to secure and surrender all such British subjects, or liberated Africans, or others upon demand being made for them by his Excellency the Governor-in-chief of the West Africa Settlement, or the officer administering the Government of this Settlement.

ARTICLE XIII.

In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Chiefs aforesaid, his Excellency Sir Arthur E. Kennedy, C.B., Governor-in-chief of the West Africa Settlements agrees for himself and successors, on the part of the Queen of England, to pay or cause to be paid annually to the said Chiefs and their successors the stipends hereinafter mentioned and set forth.

ARTICLE XIV.

And it is hereby agreed that if any of the Kings or Chiefs parties to this Treaty shall at any time infringe upon or break any of the stipulations thereof, it shall be optional for his Excellency the Governor-in-chief of the West Africa Settlements to exclude such Chief from the receipt of the whole or any part of the stipend which otherwise might accrue to him under the provision of the XIIIth clause of this Treaty.

SCHEDULE.

1. Murder, including assassination, parricide, infanticide, and poisoning.
2. Attempt to commit murder or any of the above offences.
3. Piracy.
4. Arson.
5. Robbery.
6. Any convict who has escaped, or shall escape, from prison, or whilst under any sentence of imprisonment and hard labour, or penal servitude, or under committal for trial for any of the said offences.

No. 18.

The Earl of Carnarvon to Governor Kortright.

Sir,

Downing Street, May 7, 1875.

I HAVE to acknowledge the receipt of your despatch of the 31st March,* and I approve of your having chartered the "Sir A. Kennedy" for one month for 300*l.* to convey you to British Sherbro.

I trust that you will have succeeded in your intention of holding a personal interview with the principal native Chiefs of the Sherbro district, and I approve of your proposal to enter into Treaties with them for the maintenance of peace and the protection of traders in their territories in return for the payment of an annual stipend.

I would refer you to the 8th paragraph of Sir A. Kennedy's despatch of May 7, 1869, as affording some guide as to the amount of the stipend to be allowed in various cases.

The sum of 700*l.*, the distribution of which was sanctioned in 1869, appears to me somewhat large, but I have no doubt that you will not in this matter incur any expense which you are not satisfied has a fair probability of producing compensating advantages.

I have, &c.

(Signed) CARNARVON.

No. 19.

Governor Kortright to the Earl of Carnarvon.—(Received May 27.)

My Lord,

Government House, May 8, 1875.

I HAVE the honour to inform your Lordship that I returned from Sherbro on the 24th ultimo, having left Freetown on the 4th.

By the next homeward mail I will transmit to your Lordship my Report, which has been delayed in consequence of an attack of fever from exposure in the Bagroo River.

I have, &c.

(Signed) C. H. KORTRIGHT.

No. 20.

Governor Kortright to the Earl of Carnarvon.—(Received July 19.)

My Lord,

Government House, June 28, 1875.

I HAVE had the honour to inform your Lordship that I returned from the Sherbro on the 24th April, having been absent three weeks.

2. My object in wishing to visit that portion of my Government so soon after my arrival at Sierra Leone was twofold: (1.) To endeavour to make such an arrangement with the Chiefs of the territories on the several rivers, tributaries of the Sherbro, as would open

* No. 17.

those highways to trade and facilitate the transport of the large quantity of produce ready for the merchants, but kept back in consequence of the native wars, (2.) To inquire into the several important questions brought to your Lordship's notice by Mr. N. Darnell Davis, the Civil Commandant.

3. I left Freetown on the 4th April, and anchored off Bendoo on the evening of the 5th instant, in preference to Bonthe, where the residence of the Commandant and the public offices are situated, as being more healthy and cooler, having the advantage of the sea air from the Shebar channel.

4. The following day I crossed over to Bonthe, about five miles distant from Bendoo, and inspected the public buildings and the gaol, and arranged with the Commandant as to the course to be adopted to collect the Chiefs of the Big Boom River. Mr. Davis informed me that he had sent messengers to them signifying to them my desire to see them and to enter into a Treaty with them for the preservation of peace and the encouragement of trade. He had also informed them that, on my arrival at Bendoo, I would dispatch an officer of rank to meet them at Lemaleighma, about 120 miles from the mouth of the river, under whose escort they might make their voyage in safety to Sherbro.

5. From information I had received, I was satisfied that no person I could send to the Chiefs would have the same influence as Mr. Davis, and I thought it fair that he should have the credit of bringing down a number of Chiefs, belonging to two hostile parties, several of whom had never visited Sherbro. I therefore arranged with him that he should leave Sherbro on the 7th, and proceed as far up the Boom River as Lemaleighma. Messengers were sent to the Chiefs Tom Cabby Smith and Lahai Serrifoo up the Jong or Little Boom River to desire them to meet me at Bendoo on Thursday, the 15th, by which time he expected to have returned. He left Sherbro on the morning of the 7th, with two boats in tow of the steam launch, taking with him a party of armed police.

6. During his absence, I visited the factories situated at Yelbana and York Island, and went over to Mokolo and to Victoria, on the Island of Sherbro, and inspected the hospital, formerly the barracks. I reserve my remarks on all the public buildings until I report on Mr. Davis's letter, which I had the honour to forward to your Lordship on the 12th March last.

I received a deputation of the merchants of Sherbro, who addressed me on the following subjects, viz. :—

1. Reduction of duties on licences to sell spirits in the Bargroo and other rivers in British jurisdiction.

2. On the subject of the appointment of a legal man as chief magistrate.

3. Respecting the buoying of the river.

4. On the establishment of bonded warehouses.

I briefly replied that it was the desire of the Government to afford every possible facility to trade, and that it would be my desire to promote in every way I legitimately could the prosperity of Sherbro.

On the 15th, Mr. Davis, the Commandant, returned, accompanied by all the principal Chiefs of the Big Boom river.

Tom Cabby Smith, Chief of Little Boom, also arrived at Bendoo, with his Chiefs.

On the 16th, I met the Chiefs at Bendoo, and after a long interview, lasting from 12 A.M. to 3.30 P.M., they agreed to make peace among themselves, as they were tired of fighting; and I explained to them, through the Interpreter, the Treaty I wished them to enter into for the maintenance of peace and the protection of trade. They expressed their willingness to encourage traders to visit their river; they said they could see no objection to the Treaty I proposed, but that they would like to talk over the provisions of it among themselves before binding themselves to observe it.

As the request appeared reasonable, I adjourned the meeting until Monday, the 19th. In the meanwhile, Mr. Davis received a letter from Lahai Serrifoo, of Little Boom river, stating that it was his desire to have been present at the meeting, but that the river was blockaded by Tom Cabby Smith's men, and requesting that some person in authority might be sent to escort him down. Mr. Davis, although suffering much from fever, volunteered to go up the river. On the 18th, he started for Mongray, and returned on the following day with Lahai Serrifoo.

I held a meeting at 3 P.M., and the Big Boom Chiefs signed the Treaty, a copy of which I have the honour to transmit.

Your Lordship will observe that there is no article in the Treaty by which we are bound to subsidize any of the Kings or Chiefs. I consulted with Mr. Davis on the subject, and as he has obtained a wonderful insight into the working of the native mind, I entirely coincided with him that, in lieu of subsidy, it would be well to promise them an annual present, which would be withheld in case of any infraction of the Treaty. This mode of

dealing with them is much more economical than giving an annual stipend. I inclose a statement of the presents I made to the several Chiefs on the occasion of their signing the Treaty, and they appeared perfectly satisfied.

It was not possible to make an arrangement for peace between Tom Cabby Smith and the Mongray Chiefs. Tom Cabby Smith appeared unwilling to come to terms; and as a severe tornado, with very heavy rain, set in, I was compelled to break up the meeting and return on board the steamer. Mr. Davis has undertaken to continue his endeavours to effect peace, but I fear he will not succeed, although his influence with the natives is extraordinarily great.

On the 20th April, I left Sherbro for the Bargroo river, and arrived at Tasso on the following morning. I sent a message to Concomanny, to Banya, Chief of Dyana, to come down and meet me at Tasso, as the steamer was unable to proceed further up the river. This Chief behaved very well to the Government during the Ashantee War, and supplied a considerable number of warriors for the Native Contingent. I therefore thought it advisable to make him a present of 10*l.*, and I also gave tobacco to several of his warriors.

On the 22nd, I visited, in the steam-launch, the Mendi Mission, situated about four miles up the Manoh river. The saw-mills appear to be well managed, and are, I believe, very remunerative. On my return to the "Sir A. Kennedy," we left the River Bargroo, and anchored for the night off Shangai. The following day, I visited the Banana Islands, and proceeded for Freetown, where I arrived on the morning of the 24th April.

I now desire to call your Lordship's attention to Mr. Davis' Report on the state of Sherbro, transmitted to your Lordship in my despatch of the 12th March last.*

In the first chapter of the Report, Mr. Davis mentions the difficulty of travelling between Sherbro and Freetown. This difficulty has now been obviated by the contract entered into for the conveyance of mails weekly by steamer between the two Settlements. The foreign territory to which Mr. Davis alludes as intervening between the Settlements, is the territory owned by the Caulker family, called Shangai, situated between the Rivers Cockboro and Yallinkah.

I think there would not be much difficulty in getting this land made over to the British Government, and I have no doubt that by the establishment of one or two Customs posts we might greatly increase our revenue. At present, rum and tobacco landed there free of duty find their way across the Yallinkah into British Sherbro.

I entirely concur in the opinion expressed by several Commandants that the official head-quarters of the Settlement should be at Bendoo, on the mainland, instead of at Bonthe, situated on the Island of Sherbro. The latter place is so swampy that I am convinced no European can reside there without entire loss of health. The water is so shallow that when the tide is low the mud banks are exposed to the sun and emit a dangerous miasma. Moreover, vessels are unable to approach the part of the island on which Bonthe is situated, and, as a rule, anchor elsewhere out of sight of the Customs officials.

On the other hand, Bendoo on the mainland is comparatively healthy. Large vessels can anchor at a short distance from the shore. If the head-quarters were transferred there, under so energetic a Commandant as Mr. Davis, roads would soon be opened, by which trade would be very much increased and civilization advanced. I believe that the necessary buildings might be erected for about 3,000*l.*

In the 11th paragraph of the 1st chapter of the Report, Mr. Davis has entered fully into the reason why trade has not expanded as it might have done. The wars, or rather plundering expeditions, which are constantly on foot, are the great obstacles to a safe trade; and if in the neighbourhood of the British Settlements there were two or three powerful Chiefs instead of the "superabundance of Chiefs" of little power or influence among their own followers, we might hopefully look for a better state of things.

In the 19th paragraph, Mr. Davis calls your Lordship's attention to the state of the public offices. I regret to have in this matter to coincide with the Commandant with regard to the gaol; it is simply disgraceful; but there is no building in Bonthe, which, either by hire or purchase, would be an improvement on the present mud hut.

The Commandant's house appeared to me to be a very fair one, with good-sized rooms, and in good repair. It is true that I was there in the dry season, and Mr. Davis informed me that during the rains it was scarcely habitable.

I do not think that the Customs Office and Court-house are so objectionable as described by Mr. Davis.

Mr. Davis draws attention to the fact that Sherbro is totally unrepresented in the Legislative Council. It is perfectly true that there is no member appointed specially to represent Sherbro interests; but Mr. W. Grant, who traded for a length of time in

Sherbro, and is well acquainted with all its requirements, does really watch over the interests of the Settlement in the Council. It would be difficult to give notice to a resident in Sherbro each time a Council was to be held, and the meetings do not take place at fixed periods, but only when there appears a necessity for legislation.

The 2nd chapter of Mr. Davis' report is entirely confined to pointing out the disadvantages under which British Sherbro suffers from the want of easy access to justice in criminal cases. It appears that the attention of the Government was called to this matter in 1871 by Captain Walshe, then Commandant, and Mr. Montagu, acting for the Queen's Advocate, endorsed Captain Walshe's opinion that justice in criminal and civil cases was obstructed by the difficulty of getting witnesses from Sherbro.

Without taking the paragraphs of Mr. Davis' Report *seriatim*, I have no hesitation in saying, from inquiries made on the spot, that he has not exaggerated the great inconvenience to persons in Sherbro having to attend the Courts in Freetown. The result is in many cases a total failure of justice, and in others that club law is administered at any risk rather than leave their occupation and incur heavy expense by an appeal to the Courts in Freetown.

The only remedy that I can see for so unsatisfactory a state of things would be the appointment of a legal man to be Chief Magistrate, with powers somewhat similar to, but in some cases not so extensive, as those possessed by the Chief Magistrate at the Gambia.

In talking over the matter with Mr. Davis, he suggested to me a re-arrangement of the Customs Department at Sherbro, by which he believes a sum of 300*l.* out of the salaries paid at present for the service of the Customs might be made available towards the salary of a Chief Magistrate. Mr. Davis states that Mr. Wall, the Sub-Collector, is anxious to be removed from Sherbro, and that if he could be otherwise provided for, Mr. Porter, the present Clerk, might be made Chief Clerk of Customs at a salary of 200*l.* a-year, sufficient to give him a stand beyond temptation. He would be directed to pay in daily to the Commandant the duties received, and might also be directed to refer to the Commandant in cases of difficulty. 25*l.* might be added to the salaries of the two clerks under him, thus giving them 100*l.* a-year each.

Mr. Wall receives	..	..	..	..	..	..	..	..	£
For a house	..	..	..	..	..	..	..	..	375
									50
Total	..	..	..	..	..	..	..	..	425

The additional increase to the salaries of the clerks, amounting to 125*l.*, would leave the balance of 300*l.* towards a Magistrate's salary.

So strongly am I convinced that warehouses for bonding goods for home consumption would increase the trade of Sherbro; that I have passed an Ordinance through the Legislative Council for the creation of British Sherbro into a port of entry and for the establishment of warehouses, which will be submitted to your Lordship for the Queen's confirmation.

I transmit a return showing what portion of the Revenue of Sierra Leone is derived from British Sherbro, and what is the amount of the annual expenditure of the Government there.

I have reserved for the last the important question of domestic slavery, which Mr. Davis treats of in the 9th paragraph of the 1st Chapter of his Report.

Your Lordship is aware that the so-called "domestic slavery" is of a very mild form, and I can scarcely accept as a fact that the people of British Sherbro are unaware that it is in their power to break the chain at any moment should they find it gall them. I believe in a majority of cases their position is voluntary. They are fed, and they are not called on to exercise thought; but I request your Lordship's permission to adopt the course pursued at the Gold Coast, and to let it be known by proclamation that all men are free in British territory, and that it is not in the power of any one to retain their services against their will.

In conclusion it is my duty to call your Lordship's attention to the great energy exhibited by Mr. Davis in the discharge of the responsible duties of Civil Commandant. He is respected by all classes and colours, and has succeeded in acquiring a wonderful influence over the natives, but I regret to say that his health has broken down under the weight of mental and bodily labour, and I fear that he will not be able much longer to remain at Sherbro.

I have, &c.
(Signed) C. H. KORTRIGHT.

Inclosure 1 in No. 20.

STATEMENT of the Revenue and Expenditure at British Sherbro, in the Years 1872, 1873, and 1874, under the various Heads, as shown hereunder.

Heads of Receipt.	REVENUE.			DISBURSEMENTS.					Total.
	1872.	1873.	1874.	Total.	Heads of Service.	1872.	1873.	1874.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.
Customs ..	9,638 12 8	8,332 8 7	7,818 10 0		Salaries, fixed ..	2,037 4 5	3,841 13 4	3,187 14 6	
Licences—					" provisional and tem-				
Spirit ..	280 0 0	290 0 0	300 0 0		porary ..	41 19 8	28 7 5	46 0 1	
Boat, &c. ..	38 0 0	15 0 0	8 0 0		Allowances ..	30 7 6	53 7 6	45 12 6	
Fines, forfeitures, and fees ..	34 19 9	96 0 2	97 18 7		Contingencies ..	144 14 11	242 12 4	176 0 10	
Fees of office ..	3 1 0	8 4 6	0 2 6		Revenue services, &c. ..	4 10 0			
Miscellaneous receipts ..		6 5 4	4 18 6		Administration of Justice, &c. ..	52 17 1	46 13 4	46 6 0	
Land sales ..	7 10 0	1 0 0			Hospitals, as per Estimate ..	172 7 8	428 6 11	406 17 8	
Hospital stoppages ..	28 5 7	73 3 9	39 19 10		Police and Gaols, ditto ..	113 7 0	232 2 11	153 17 9	
Postage ..	90 1 2½	29 16 10½	34 19 4		Rents ..	190 14 1	312 9 2	175 0 0	
					Transport services ..	210 16 0	312 13 4	298 1 0	
					Conveyance of mails ..	1,042 8 0	1,486 13 4	403 0 0	
					Works and Buildings ..	16 15 5	122 2 4	10 6 10	
					Roads, Streets, &c. ..	137 11 9	499 10 8	345 15 8	
					Miscellaneous services ..	0 6 6	18 4 0	46 7 8	
					Aborigines ..	318 8 1	481 13 2	717 4 9	
					Drawbacks, &c. ..	20 0 0	6 7 7	10 0 0	
	10,120 10 2½	8,851 19 2½	8,304 8 9	27,276 18 2		4,534 8 1	8,112 17 4	6,063 5 3	18,710 10 8

RECAPITULATION OF ESTABLISHMENTS.

	1872.	1873.	1874.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Salaries, fixed ..	2,037 4 5	3,841 13 4	3,187 14 6	
" provisional and temporary ..	41 19 8	28 7 5	46 0 1	
Allowances ..	30 7 6	53 7 6	45 12 6	
Contingencies ..	144 14 11	242 12 4	176 0 10	
	2,254 6 6	4,166 0 7	3,455 7 11	9,875 15 0

Colonial Treasurer's Office, Sierra Leone, May 3, 1875

(Signed)

GEO. MELVILLE, Acting Colonial Treasurer.

Inclosure 2 in No. 20.

LIST of Presents to Native Chiefs of British Sherbro.

	£	s.	d.
Surakong	10	0	0
Conry Vong	12	10	0
Se'ssy Hanmoh	12	10	0
Karg Banta	5	0	0
Burg Baw	5	0	0
Murray Wye	5	0	0
Thomas Bungo	5	0	0
William Tucker	20	0	0
Banya of Bargroo	10	0	0
	85	0	0

Inclosure 3 in No. 20.

TREATY between his Excellency C. H. Kortright, Esq., Governor-in-Chief of the West Africa Settlements, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and Her successors, on the one part, and Sisi Hanmoh, Chief of Samoh and Representative for Queen Magawo, of Luboo Land, Gbaboh, of the Boom Land, Tissana, Siafa Tindo, Representative of Canry Vong, Chief of Higgmah, Prime Minister of the Magow of Luboo, Carbanta of Sainjehoo, Banna Cuttomah, Chief Messenger of Carbanta, Canray Bearmah and Sisi Conday, Representatives of Yeomoh, Chief of Bengha, Thomas Bongo, Chief Mobongo, Banna Tam, Son of the Prime Minister Canray Vong, Humpa Magbi, Speaker for Carbantar, and Murray Brimah, of Momando.

WHEREAS peace has not hitherto existed in the above countries in consequence of the frequent resort to arms by the native Chiefs and other inhabitants for the purpose of settling their disputes; and whereas it is exceedingly desirable that peace should be established upon a firm basis, in order to ensure the prosperity of trade, the advancement of civilization, and the extension of the Christian religion:

His Excellency C. H. Kortright, Esquire, Governor-in-chief of the West Africa Settlements, being moved thereto, has agreed to assist in completing and maintaining peace, provided the following conditions be strictly adhered to.

ARTICLE I.

It is agreed there shall be peace between the subjects of Her Majesty the Queen of England and her successors and the subjects of the several Chiefs and their successors parties to this Treaty, and there shall also be peace between the said several Chiefs and their subjects respectively.

ARTICLE II.

Should any difference or dispute arise between any of the Chiefs parties to this Treaty or their subjects, and that they should, after mature consideration, be unable to terminate such a difference or dispute peacefully or satisfactorily among themselves, they shall refer the question to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-chief of the West Africa Settlements, whose decision therein shall be final and binding upon all the parties concerned.

ARTICLE III.

Should any cause of dispute or quarrel arise between any of the Chiefs parties to this Treaty and their successors or their subjects, and any Kings or Chiefs to the eastward of their territories, or the subjects of such Kings or Chiefs, the same shall be made known immediately to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-chief, in order that, should his Excellency so approve, any recourse to arms may be avoided by the friendly and timely mediation of this Government.

ARTICLE IV.

British subjects are strictly prohibited from breaking the country laws and interfering in any way with the quarrels of the native Chiefs or their subjects, and from aiding, assisting, and countenancing or supporting them, directly or indirectly, against each other.

ARTICLE V.

Should any British subjects, whilst residing in any of the territories of any of the Chiefs parties to this Treaty, commit any crime against the laws of this Settlement, or shall own or possess a slave or slaves, or pawn or pledge or receive in pawn or pledge a man or woman, boy or girl, or deal in slaves, or be in any way, directly or indirectly, engaged in the Slave Trade, such British subject shall be conveyed to the nearest English Magistrate, either in Sherbro or Sierra Leone, together with the witnesses for and against him, and such English Magistrate shall deal with the case according to the laws then in force in this Settlement; and it is hereby agreed that the expense of conveying such British subject and the witnesses for and against him to and from British territory, and the expense incurred in the maintenance of the said British subject and the said witnesses respectively whilst in English territory, shall be defrayed by the Government of this Settlement, and for this purpose the Magistrate aforesaid shall determine who is to be considered and treated as a witness in the case.

ARTICLE VI.

It shall not be lawful for any person whatsoever in any way to restrain the liberty of any of Her Majesty's subjects, except for the purpose of ensuring his safe keeping, after the commission of an offence, until he is surrendered to the nearest English authority to be dealt with as before herein provided.

ARTICLE VII.

All roads to the interior and to countries to the eastward of the territories of the Chiefs parties hereto, and all roads generally throughout the territories of the said Chiefs, shall be kept at all times clean and open; they are not to be shut on any pretext whatever; and all parties, British subjects, native strangers, and others, shall be allowed to travel thereon free and unmolested.

ARTICLE VIII.

Traders must establish themselves at such places as the respective Chiefs may think fit to allot them for their factories, and must not go inland to trade unless permission be given them by the several Chiefs in whose territories they may find themselves from time to time. The rivers shall be free to all persons to come and to go.

ARTICLE IX.

The ministers of the Christian religion shall be permitted to reside and exercise their calling, and they are to receive all honour and protection within the territories of the said Chiefs, and they shall be encouraged to establish schools for the education and proper training up of the youth of both sexes.

ARTICLE X.

If the Governor shall at any time or times appoint a Magistrate to visit and remain in any of the territories of the said Chiefs for the purpose of carrying into effect the Act of the 24 and 25 Vict., cap. 31, for the protection of Her Majesty's subjects and for securing due adherence to the stipulations of this Treaty, the person and property of such Magistrate shall be inviolate, and he shall receive all honour and protection, and the Chiefs parties to this Treaty will permit him to visit and dwell in and exercise within such territory over Her Majesty's subjects inhabiting or being within the same such powers and authorities as shall by his Commission be specially granted to him; and the said Chiefs will to the utmost of their power aid and assist him in the execution of such powers and authorities.

ARTICLE XI.

The penalty of death shall on no occasion be put in force against a British subject by order of any of the above Chiefs, but such offender shall be handed over to the Queen's

Government to be dealt with according to English law ; and no British subject shall be sold into slavery.

(Signed)

C. H. KORTRIGHT, *Governor-in-chief.*
 SISI HANMOH, his ✕ mark, *Chief of Samah and Representative for Queen Magawo, of Luboo Land.*
 GBABOH, his ✕ mark, *of the Boom Land Tissana.*
 SIAFA TINDO, his ✕ mark, *Representative of Canray Vong, Chief of Higgmah, Prime Minister of the Magow of Luboo.*
 CARBANTA, his ✕ mark, *of Sainjehoo.*
 BANNA CUTTOMAH, his ✕ mark, *Chief Messenger of Carbanta.*
 CANRAY BEARMAH, and SISI CONDAY, their ✕ mark, *Representatives of Yeomah, Chief of Bengha.*
 THOMAS BONGO, his ✕ mark, *Chief of Mo Bongo.*
 BANNA TAM, his ✕ mark, *Son of the Prime Minister, Canray Vung.*
 HUMPHA MAGBI, his ✕ mark, *Speaker for Carbanta.*
 MURRY BRIMAH, *of Momando (signed in Arabic).*

Witnesses :

(Signed)

N. DARNELL DAVIS, *Civil Commandant.*
 K. ROWAN NIVEN, *Captain, 1st West India Regiment.*

We have witnessed the signatures of the several parties attached to this Treaty, and we subscribe our names as parties to the same.

(Signed)

W. E. TUCKER, *Chief of Bullom.*
 DAVID TUCKER, his ✕ mark, *alias BABAJUBA.*
 GEORGE TUCKER, his ✕ mark.
 JACK TUCKER, his ✕ mark.
 W. B. TUCKER.

Dated at Bendoo, British Sherbro, this 19th day of April, 1875.

No. 21.

Governor Kortright to the Earl of Carnarvon.—(Received July 28.)

My Lord,

Government House, Sierra Leone, July 5, 1875.

I HAD scarcely closed my despatch of the 28th ultimo* when I received the letters from Sherbro of which I inclose copies.

I at once consulted the Executive Council as to the course it would be advisable to take in the matter.

The rains are so heavy and continuous that I could not venture to send troops for the purpose of exacting by force redress for the outrage committed on British territory. I sent, however, a large reinforcement of armed police, to be stationed principally at Bendoo, where there is a large amount of property. The Civil Commandant has now at his disposal 100 picked men, under the command of our most efficient Inspector. This force ought to be sufficient to prevent a repetition of the outrage.

Your Lordship will observe that Mr. Wall strongly censures the conduct of Lahai Serrifoo, Chief of Mongray, and it is true that the body of marauders (for they were not subjects of Lahai Serrifoo, but men "bought for war" from the interior) took refuge in two of his towns, and there secured their plunder ; but I judge, from the fact of the ill-treatment he received, and of his having sent back Mrs. Parkinson and others, with as much of the stolen property as he could collect, that he was not a party to the outrage. He appears to have lost all control over his hired warriors, and I am inclined to think that on this occasion they have acted on their own responsibility without his knowledge. It seems to me probable that the warriors have joined Tom Cabby Smith, who can afford them better pay than Lahai Serrifoo, and that he has silently permitted the robbery. I have, therefore directed Mr. Budge, acting as Civil Commandant during Mr. Davis' absence at Madeira, to send without delay to Tom Cabby Smith, and to demand from him assistance to recover the rest of the property, and to inform him that I hold him quite as responsible for the acts of the warriors as Lahai Serrifoo, as the outrage could not have

occurred had he consented to my proposition when at Sherbro, to mediate between himself and Lahai Serrifoo.

So long as these men are permitted to continue their war in the immediate vicinity of our territory, there can be no trade with the Jong or Little Boom Rivers, and the lives and property of British subjects will be constantly menaced. I fear that nothing but condign punishment at the hands of a military force will have a lasting effect, and I fear that it will be found necessary, when troops can be employed without the risk of sickness, to compel the belligerents by force—if other means fail—to give up a war so detrimental to British interests.

I have, &c.
(Signed) C. H. KORTRIGHT.

Inclosure 1 in No. 21.

Sir,

Bonthe, June 11, 1875.

I HAVE the honour to convey to your Excellency that on Tuesday last, the 8th instant, I was waited upon by Mr. W. E. Bull, a merchant trader carrying on business here at Bull's Creek, Victoria, who complained that the Chiefs of Gambia and Mongray—Tom Cabby Smith and Lahai Serrifoo—were threatening to carry war into British territory, and that if they did it was to be feared the war parties would help themselves to the property of British subjects. He begged of me to send one or two policemen to protect the small town of Mamaiah, opposite York Island, where he had some palm oil ready for shipment, which he was afraid might fall into the hands of the war parties.

Knowing something about the antecedents of Mr. Bull, I put it to him very pointedly whether he, or, to his knowledge, any other British trader in or near the territories of the contending Chiefs, had violated any of the stipulations of the Treaty concluded between the Government and the Chiefs of Mongray, Gambia, &c., on the 10th of February, 1874, because in that event I could not undertake to give him or them any assistance without the sanction of your Excellency. He assured me in the most solemn manner that he had never broken the country laws of any of the Chiefs, parties to that Treaty; had never interfered in any way with their disputes and quarrels, or those of their subjects; and that he had never aided, countenanced, assisted, or supported any of the Chiefs, directly or indirectly, in their wars against each other, by supplying them with arms, ammunition, or any warlike stores whatever, or with the means of procuring them, nor did he know of any British subject who had acted either in secret or open violation of the stipulations of that Treaty.

On receiving these assurances from Mr. Bull, I ordered Mr. Inspector Snell to despatch a corporal and two privates to the town of Mamaiah; which he did early the following morning.

At six o'clock yesterday morning one of the constables so sent (Private Isaac Drape) returned to Bonthe, covered with mud, and without his carbine, who reported to me, that, on the previous night, after he and his comrades had gone to bed in the yard of Mrs. Taylor, trader at Mamaiah, they were awoke about eleven o'clock, by the noise of armed men crowding into the yard, and had to fly for their lives. Drape knew nothing he said, about the fate of his two comrades.

(I would respectfully refer your Excellency to the statement appended hereto for fuller particulars of the alleged outrage.)

On hearing the statement of Drape, I sent for Mr. Inspector Snell to muster his men, and gave orders to have all the Government boats got ready to cross over to Mamaiah. It took several hours to collect the constables and boatmen, so that before every thing was ready, the day was half gone, and to cap the whole, when I again sent for the police inspector to order the embarkation of his men, he informed me that they had "plenty of percussion caps for their carbines, but no cartridge." This determined me to start at once without police escort, and, after a sail of about two hours duration, I was landed at Mamaiah, where I found Mr. Bull, and took down the statement of one of the plundered persons (Mrs. Taylor) the other person (a Mrs. Parkinson) having with her three children, been carried off by the war party who had plundered her premises.

While in Mamaiah, I made it my duty to examine carefully the topography of the place, and more particularly to scrutinise, with equal care and attention, the two houses alleged to have been plundered. The impression left on my mind by this scrutiny and examination was, and still is, of a nature far from convincing either as to the object of the so-called war party, or as to the extent of the alleged losses. And what struck me as most singular, was the fact, that, although Bull was the only person who applied to me for protection, his property alone, consisting of many casks of palm oil, remained untouched.

I do not know that I can add any additional information at the present moment; but, as I shall in all likelihood proceed to a place called Kakay (where Mrs. Parkinson and her children are said to have been taken) early to-morrow morning, with a view to demand the release of Mrs. Parkinson and the several other persons who were taken forcibly away from Mamaiah on Thursday night, your Excellency will again hear from me on my return, by special messenger, should I find that necessary.

I have, &c.
(Signed) WILLIAM BUDGE.

His Excellency the Governor-in-chief,
&c. &c. &c.

Inclosure 2 in No. 21.

Statement of Mrs. Taylor to the Acting Commandant.

MY name is Jane Taylor, I am the wife of John Taylor, a trader, residing at Gaudamah, in the Massam River. I have been a trader on my own account since 1862, and have carried on business for the last two years in the village of Mamaiah, Sherbro district. I am a general dealer, and my suppliers are Mr. Lionel Hart, of Bendoo, Mr. Barsete, of Bonthe, and I occasionally buy for cash through one Mr. Thomas, residing in Adelaide-street, Freetown, from whom I received last month a shipment of goods to the amount of 70*l.*, given to him in cash by me. Yesterday morning I had in stock about 700*l.* more or less in my store here. At 5 o'clock yesterday, I closed the store, as usual, and fastened the front door with two iron hasps and padlocks. I went to bed about 10 o'clock. There were altogether sleeping in the premises eight of my own people, my cousin, who had just come from Roubook River, and my brother, Robert Preston. Besides these men there were three women, two of whom belong to my household, and the other is the wife of Robert Preston. About 11 o'clock, I heard a noise inside my house, and presently a number of armed men broke open my room door, and came in. Among them I recognized a man named Vangang, who is a dealer in produce, and with whom I have had several transactions since my arrival here. He had told me when I just knew him that he lived at Mocharge, a village of Mongray. I do not know who the village belongs to. They remained in my house till about 2 o'clock, breaking up my property, killing my cows, and taking away my canoes. They removed the carcasses of four cows, and left two others severely maimed. When they came into my room they began to tie me, asking me if I was Mrs. Bull. I told them I did not know Mr. Bull. They said I must show them where Mr. Bull stops. My brother, Robert Preston, persuaded them not to tie me. They then untied me and stripped me of all my clothes, leaving me quite naked, saying that Sierra Leone women always have coral in their waists. The constables, a corporal and two privates, who were sent from Bonthe yesterday morning to protect the lives of the people and property here, ran away into the bush, one of them leaving his carbine in the hands of the war party. One of the others threw his carbine into the bush. It was discovered this morning by my watchman, and handed back to the constable. The three women I have referred to are Hannah Taylor, a child adopted by me, about 10 years of age, a girl named Conah, about the same age, and a Miss Johnson together with her child, a boy about 3 years of age, a boy named Cauray Voug, about 16 years of age, and a boy named Gbannah, my landlord's nephew, were also taken away by the armed men.

(Signed) JANE TAYLOR.

List of articles stolen from Mrs. Taylor's store at Mamaiah on the night of the 9th June, by a war people supposed to belong to the Chiefs Lahai Sarrifoo, and Lahai Goray :—

1 bale India baft.
1 ditto French satin stripe
1 ditto stout grey cotton.
1 ditto common satin stripe.
500 lbs. tobacco.
15 pieces common Madras handkerchiefs
30 ditto best ditto.
100 pieces common grey cotton.
60 ditto Manchester baft.
30 ditto print.

- 1 string coral beads.
- 3 barrels rum.
- 10 cases gin.
- 40 kegs gunpowder.
- 12 long Danes.
- 6 dozen washhand basins.
- Quantity of brass kettles.
- Quantity of iron pots.
- 60 bushels husk rice.
- 20 ditto Walker rice.
- Quantity of clean rice.
- 200 pounds or thereabout in gold and silver.
- Black caps, beads, looking glasses, and a lot of earthenware.
- 50 fancy country cloths.
- 6 tin boxes, containing wearing apparel and cotton goods
- 4 cows.
- 6 canoes and six hogs.
- 1 large trunk, containing white clothes and numerous other articles, such as personal jewelry, trinkets, &c., the details of which I do not at present feel myself able to remember.

(Signed) JANE TAYLOR.

Mamaiah, British Sherbro, June 9, 1875.

Inclosure 3 in No. 21.

HENRY RABAN, Corporal of Police, states that he, Mathew Decker, and Isaac Drape were sent by the Acting Commandant to Mrs. Taylor at Mamaiah on duty, and to remain there a few days till he will be there himself on the 9th of June instant. We left Bonthe at 11 o'clock for Mamaiah, and between 2 and 3 o'clock we got there. On our landing we went straight to Mrs. Taylor's place, who kindly received us. I informed her the reason why we came to Mamaiah, and what the Commandant said. She then provided us with two rooms (I and Drape occupy one and Decker to the other), afterward with a dinner. After dinner we sat up for a while conversing with each other for a short time. Drape went over to Mrs. Parkinson. I then went there myself, when Drape asked Mrs. Parkinson whether the war people always trouble the people at Mamaiah. She said no, only the people usually come and make trade with cassada, and some little other articles; and she informed us that the traders just left a little while before we came at anchor. I then returned back to the house of Mrs. Taylor, leaving Drape at Mrs. Parkinson's. In a short time Drape returned and informed me that Mrs. Parkinson told him that the war people never disturb them. They always come and make trade and returned back again. I then informed Mrs. Taylor that the Commandant told me that Mr. Bull will give us a paper as our instructions, when she returned me the answer that Mr. Bull has gone over to Bull's Creek. During our conversation with Mrs. Taylor, the two rooms at the same time has been sweeping by Mrs. Taylor's people; after they finished sweeping the rooms, Mrs. Taylor came and asked us if we like the rooms. We said yes. We then lying on the hammock in the piazza of the house about 9 o'clock. I told Drape and Decker that we had better go inside on account of the Musquitoes in the town. We then went in, shifted ourselves, and gone to bed. About 11 o'clock in the night the watchman came and whispered to me, saying, "Police, the war people is now in the town!" I then called Drape, and asked the watchman what people is that. He said the war people. I then called Decker, who said what is the matter; but in the meantime he came, and inquiring what is the matter, I told him the war people came. Before I finish talking to Decker, the watchman was then standing inside of the house, when the war people came into the door and opened the door forcibly. The door was then opened for them and they came in. We then tried to put out again. I then asked Drape if he see any trousers; he said no, being the place was so dark on searching for our clothes. I heard couple of men pushing to come inside again; I cannot exactly say how much in number; I then told the people that we are constables. He said in the country language that they get no business; whether you are a constable or not I dont care; come outside and I will take you away. They then continued coming inside. When the watchman, who was inside, saw the people came inside too much, he then opened and jumped out of the window. Decker then went out in the same way; I then followed him. I cannot exactly give an account of Drape; he has gone out already; how he managed to get out I cannot say. We then separated; every one tried to hide himself. All this time I have my gun with me, and Decker, who came to me without his gun, had no chance of obtaining it back, as the place was so crowded with people. Drape did not find his gun about two hours afterwards. I returned to the house and discovered that the war people has taken all our things, and

Decker came in shortly, and inquiring for Drape, we were informed that Drape had gone to Bonthe to inform the Commandant. We waited in the town from that night until about 2 o'clock in the afternoon of the next day; no canoe or boat could be seen. We then procured a passage in Mr. Edward's canoe which came to Mrs. Taylor's wharf. In our coming down we saw the Commandant's boat going up to Mamaiah, when we made sign with our handkerchief. I begged the crew of the canoe to return back to the boat, but they refused.

(Signed)

HENRY RABAN.
MATTHEW J. DECKER.
ISAAC DRAPE.

Bonthe, Sherbro, June 11, 1875.

Inclosure 4 in No. 21.

Sir,

Bonthe, June 19, 1875.

IN continuation of what I had the honour of conveying to your Excellency on the 11th instant, on the subject of an invasion of British territory, and the wholesale spoliation of British subjects at Mamaiah, on the River, by a band of war-men, said to be in the service of the Chiefs of Mongray, I have now the honour respectfully to mention that, shortly after the departure of the mail, I addressed a letter to the Mongray Chiefs, Lahai Serifoo and Lahai Goerey, of which the document hereto annexed, marked A, is a copy, and which is now humbly submitted to your Excellency for approval.

Mr. Wall, sub-collector of Customs for Sherbro, having zealously offered to be the bearer of the two letters to the Mongray country, I gladly and unhesitatingly availed myself of that gentleman's services, and I did so all the more readily when told that he personally knew both Chiefs, and was well acquainted with their respective territories.

While Mr. Bull's boatmen were being got together, and other preparations were being made for a journey likely to extend over two days, a letter was put into my hands containing an urgent request by Mr. Lionel Hart, of Bendoo, to send over there a reinforcement of constables without delay, as he was afraid, after what had been done at Mamaiah with apparent impunity, the same, or some other gang of depredators might be emboldened to make a descent on Bendoo, where the temptation to plunder was so much greater. And as if to place Mr. Hart's fears beyond doubt, a carpenter named Hayes, newly arrived from Konkonani or the Bagroo River, came to inform me that two days before a number of war-men came to his place at Konkonani and asked him for permission to cook; that while they were preparing their meal he overheard one of them say, in an emphatic tone of voice, "Yes, we must go to Bendoo." This information, arriving, as it did, almost simultaneously with Mr. Hart's request for additional constables, determined me on sending three more men to Bendoo, thereby raising the strength of the police force at that station to six constables. And as I was now in possession of a few cartridges, which had that morning been handed in by the three men who had fled from their posts at Mamaiah, the inspector was enabled to supply each of the three constables told off for duty at Bendoo with five rounds of cartridges. I asked Mr. Wall to take these men in his boat, and land them as he passed Bendoo on his way to the Jong.

It was unavoidably somewhat late in the evening before Mr. Wall could set out, and by the time he reached Bendoo and had landed the three constables the tide failed, so that he and the crew were obliged to pass a portion of the night on shore, waiting the morning flood, which brought them to Mongray on Sunday the 13th instant, at 7 P.M.

At 10:30 the same night, Mr. Wall sent a special messenger to Bonthe, with a letter to me, of which the document hereto annexed, marked B, and which is now humbly submitted for perusal by your Excellency, is a copy. I must here note that, although the messenger left Mongray the previous night, Mr. Wall's letter did not come to my hands till 2 P.M. on Monday, a full hour beyond the time at which Mr. Wall expected to find his reinforcement at Kekkah, and this impelled me to use all possible speed in collecting men and boats for the expedition.

After much trouble, exertion, and petty delays, eighteen men and one sergeant were got together, and by 7 P.M. were ready to start. I instructed the sergeant to proceed first to Bendoo, and procure from Mr. Hart 200 cartridges, from which he could serve out five rounds to each of his men; afterwards to proceed to Kekkah, and place the whole of the force under his charge at the disposal of Mr. Wall, whose orders he and his men would obey.

At last they started for Bendoo, but owing to the lateness of the hour and the

subsequent detention at Bendoo procuring cartridges for the carbines, the tide failed them, and the boats could not proceed before morning. About noon next day, they reached Kekkah, where the sergeant was informed that Mr. Wall was still up the river at Mongray; the boats then went on. Higher up they met Mr. Wall returning, and followed his boat back to Kekkah.

At this point, I think it will be more convenient, perhaps, to allow the narrative to be taken up by Mr. Wall, who has, at my request, addressed me on the subject since his return to head-quarters, and I would therefore very respectfully refer your Excellency to the annexed document marked C, which is a copy of Mr. Wall's letter.

A perusal of that letter will, I believe, place your Excellency in possession of all that has been done here by me, and without avail, to obtain reparation from the Mongray Chiefs for the outrage by their war-men committed on British ground and on British subjects; and, on a careful review of the whole circumstances, I really do not see, as the matter now presents itself, how your Excellency will be able to avoid yielding to the necessity of a resort to military force, not only to compel the Mongray people adequately to compensate the poor women whose property has been carried away or destroyed, but, more especially, to chastise the insolence of the armed rabble who dared to perpetrate that act of spoliation on British territory.

However much it may be desirable to avoid this course, and however painful it may be to have to resort to arms for the satisfactory solution of the difficulty, it is, in my humble judgment, the only course this Government can honourably take, and it is one, moreover, manifestly forced upon it by the impotent and despicably helpless condition of Lahai Serrifoo, King of Mongray, who, in presence of Mr. Wall, was publicly insulted, hustled, buffeted, knocked down, and beaten by his own warriors, over whom the poor old man has no control whatever.

To expect reparation, therefore, for British losses from such a king—to suppose that any effort of his would avail in bringing to justice the burglars of Mamaiah, or that the unhappy country of which he is nominally Chief, will ever in his hands be anything but a convenient haven for robbers and cut-throats, who defy all authority, and are prepared to go anywhere and do any reckless thing that may lead to plunder—would, indeed, be the height of human credulity.

I trust, then, should it please your Excellency to resolve on calling in the aid of the military, that a detachment may be sent of sufficient strength to make such reprisals, and to effect such arrests as will rid the Mongray country adjacent to British territory of the desperadoes who are at this moment entrenched in numerous villages on the banks of the Mongray River, and at the same time impress the Chiefs and people of adjoining territories with a salutary and lasting dread of the British power.

I cannot conclude without bestowing on Mr. Wall the highest praise for the coolness, fortitude, and ingenuity he displayed in extricating himself from the war-fence at Kekkah, and for successfully bringing back his men to head-quarters without disaster.

Waiting with much anxiety the commands of your Excellency, I have, &c.

(Signed) WILLIAM BUDGE.

His Excellency the Governor-in-chief,
&c. &c. &c.

Inclosure 5 in No. 21.

My good Friend,

Commandant's Office, Bonthe, Sherbro, June 12, 1875.

NEWS having reached me on the morning of Thursday last of a daring outrage having been committed the previous night in British territory by a war party, said to be under the direction of a person named Vangah, who is alleged to be in the pay of the Chiefs of Mongray, I lost no time in proceeding to the seat of the alleged outrage, which, according to the statement of my informant, was the small town of Mamaiah, at the entrance of Jong River.

Having reached the spot and gone on shore, I was informed by Mrs. Taylor, a trader there, that the premises occupied by her and those occupied by a Mrs. Parkinson, also a trader there, had been broken into at 11 o'clock the previous night by a war party of thirty or forty men, who appeared to be acting under the orders of the warman Vangah, whom Mrs. Taylor saw and recognized. Mrs. Taylor added that, after quitting the plundered premises, the war people carried off Mrs. Parkinson and three children, together with several of Mrs. Taylor's household.

I forward to you herewith a list purporting to show, as far as Mrs. Taylor could remember at the time of my visit, the nature of the goods and the amount of money stolen

by Vangah and his men, the heads of cattle slaughtered and removed by them, as well as those which they maimed with their swords and left behind. The value of the whole is roughly estimated by Mrs. Taylor at 1,000*l*.

Now, if Mrs. Taylor's story be true, the warman Vangah, as well as any others who may hereafter be traced and identified as having aided and abetted him in the commission of this midnight invasion of British territory and heartless spoliation of the property of two defenceless women, may rely upon it that they will be severely dealt with by the British Government.

I purposely guard myself, however, as matters now stand, against expressing an opinion either way on the subject of Mrs. Taylor's narrative till the statement of Vangah is before me, and I shall therefore confine myself to calling on you as I now do, as well as on the Chief Lahai Gorey (to whom I have addressed myself in similar terms to yourself) to cause an immediate inquiry to be made into this affair, and should you and the Chief Lahai Gorey, after making the inquiry now demanded of you, or of any one of the acts complained of by Mrs. Taylor, I shall ask you to cause his speedy arrest, as well as to arrest any others who may be discovered to have aided him in the alleged outrage, and hand him and them over to me.

It is very essential that I should point out to you, as I have also done to your brother Chief, that whether Vangah was or was not acting under instructions from yourself or of any other war Chief in the Mongray country with your sanction and approval, you and your brother Chief would still be bound to institute the desired inquiry, and to cause Vangah's arrest if, as I have before said, the circumstances which shall thereby come to your knowledge seem to justify your so doing.

I send this by special messenger, and if any particulars have already come to your knowledge on the subject of this alleged outrage, I will thank you to furnish me with those particulars at your earliest convenience.

I have instructed the bearer to wait a reasonable time for this purpose, say, twenty four hours, and if you will kindly aid me in sifting the circumstances of the outrage, it will be for your benefit, as well as that of your country, and the well-disposed portion of your subjects.

In conclusion, I cannot but call upon you to order, with all convenient speed, the release of the persons (chiefly women and children) who have been violently and illegally removed from British territory by Vangah and his warmen, and who are now, as I am led to understand, in the village of Kekkah, a short distance from Mamaiah, which village, I am likewise informed, is in the territory of one Bocary Wootah, whom you have ejected therefrom.

I am, &c.

(Signed) WILLIAM BUDGE, *Acting Commandant.*

Inclosure 6 in No. 21.

Sir,

Mongray, June 13, 1875.

IN accordance with your instructions I left Bonthe for Mongray on the 12th instant, and arrived here in the evening at 7 P.M.

On my way up the river, I called at the village of Kekkah, referred to in your letter to the Chiefs of this place, and learned that the names of the two principal Chiefs were Bah-Hab and Jappah. Before being allowed to enter the stockade I was informed that Mrs. Parkinson, her children and two or three others (in all 11 persons) had been taken away from that village by the Chief Lahai Serrifoo, and brought to his brother's town Sowrah. The inquiries I made did not result satisfactorily. I proceeded on to Mongray, and met in the river a little below Mah Willam, a barge the property of Chief Lahai Serrifoo, containing Mrs. Parkinson, three children, sister, and some boys, also Miss Johnson and others, being conveyed along with two letters from the Chief to be handed over to the Commandant. I thought it advisable to open the letters and peruse their contents, as one of them was in reference to Mrs. Parkinson; I requested the coxswain of the barge and its occupants to accompany me to Mongray, as Mr. Parkinson was close by me in his boat, to enable me to make any inquiry I might deem expedient, in the presence of Lahai Serrifoo, particulars of which will be related to you in due course. The women were clad only with country cloths, their own clothes having been stripped off them. From Mrs. Parkinson's statement, I think it necessary to write and inform you that most of the rascally scoundrels are still at Kekkah, or were there when she left and could be easily captured with the assistance of some constables; I shall proceed to-morrow, I hope with the Chief Lahai Serrifoo and his brother Momodoo Barracalla to Kekkah, where I hope the

marauders will be duly handed over to me by them or such of them as yet remain in that village. Kekkah, I understand, is the present seat of war, and when I entered the stockade I found between 300 and 400 armed men. A bayonet and an overcoat belonging to the constables have been handed to me, and the carbine missing is in the possession of one of the invaders, which I hope to recover to-morrow.

I write to ask that you will be good enough to send up by the morning tide about 20 constables to assist in taking down the men who may be handed over to me.

I understand, cartridges suitable for the police carbines can be obtained from either Mr. Fox or Messrs. Hart Brothers of Bendoo, I think the former. The constables should be despatched with all possible speed to meet Lahai Serrifoo and I at Kekkah to-morrow about mid-day.

The further particulars I leave until my return to Bonthe, and hasten to despatch this. The letters are inclosed.

I have, &c.
(Signed) T. A. WALL.

William Budge, Esq.,
Acting Civil Commandant.

Inclosure 7 in No. 21.

My good Friend,

Mongray, July 6, 1875.

I MAKE it my duty to inform you will have goodness to send up to the small Boom River, that all British subjects who are making trade there must remove down at once knowing not how the war will take place.

I am ready at any time for peace, you yourself witness that Tom Cabby Smith refuses peace, the said Tom Cabby Smith has sent Morry Lasarn to Bagroo to buy war, which you heard of some time ago.

I heard that Humper Rango has consented to give war, my reason of informing you, because Bagroo land belonging to the British. I should not believe that Humper Rango will send war to come against us, but undoubtedly he may, Morry Lasarn is there now at Bagroo.

I am glad to inform you that I have open the river last Friday, which was blockaded by Tom Cabby Smith and the Impereh Folkses.

I am, &c.
(Signed) LAHAI SERRIFOO, *Chief of Mongray.*

Inclosure 8 in No. 21.

My good Friend,

Mongray, July 11, 1875.

SINCE the commencement of this war I am ready every day for peace; Tom Cabby Smith is the identical person who refuses peace; my river was blockaded by him, I have the chance to open the river on the 2nd instant, and on the 6th I wrote you a letter which you will receive, and on the 7th the war at "Kekah" went and plunder "Maneyah" unbeknown to me. When I heard of it I immediately went to Kekah and inquire who sent them there, the war people says they take upon themselves to do so; it grieves me to the very heart. It happens I met Mrs. Parkinson and families there; by searching round I found some of the policemen uniform, which you will receive. As regard the Queen's people, I have returned as much as I have seen.

I am, &c.
(Signed) LAHAI SERRIFOO, *Chief of Mongray.*

Inclosure 9 in No. 21.

Sir,

Bonthe, British Sherbro, June 17, 1875.

I NOW have the honour to give you further details in connection with the recent invasion of British territory.

On the evening of the 14th instant (the day after despatching my previous letter) I met Lahai Serrifoo and some of his Chiefs in the Barry, or Country Court-house, and having passed the usual ceremony requisite in such cases, I gave them to understand that I waited only for the reply to your letter. Lahai Serrifoo informed me that in compliance with your request he was taking every possible means to recover the plundered property and restore it—along with the British subjects who had been captured and carried away by

his allies when making the attack on Mamaiah—to the Commandant. I found the morning had been spent in instituting a strict search through the houses, boxes, &c., of his own subjects in the town of Mongray, from which a great quantity of the property was recovered, as also from some neighbouring villages under his control.

Mr. Parkinson, who was with me, pointed out and took charge of the articles he recognised.

Messenger having been despatched to some distant parts of his territory to recover more of the property, if any had been secreted there.

I was invited to await their return, when Serrifoo intimated to me that the property would be delivered up, and he would also hand over any of the parties who could be recognised who were implicated in the raid on British territory, as the whole affair had happened without his knowledge, and he at once assured the Government of that fact, when, on hearing of the capture of British subjects, he went in person to Kekkah, where they were detained, secured their release, took them with him to Mongray, where they were treated kindly, and were being sent down by him to the Commandant with letters expressing his regret when I met them on my way to Mongray.

Having waited upon the Chief the specified time (twenty-four hours) in accordance with your instructions, I informed him I was prepared to return to Bonthe, and that he must accompany me first to Mocharge River, in charge of Vangah (the marauder recognised by Mrs. Taylor), and deliver him to me to be brought down to you, and thence to Kekkah, where he informed me he had dispatched messenger, with whom I sent a constable to request his warriors to be prepared to deliver up all the plunder in their possession, with the remaining British subjects detained there, to me as I passed down the river. We, that is, Lahai Serrifoo, Momodoo Barracalla, the King's brother, the Chief's advocate, with some of their attendants, and myself, left Mongray between eleven and twelve o'clock A.M.; Mr. and Mrs. Parkinson, Mr. George M'Cauley, and others followed in the former gentleman's boat. In coming down the river we landed at Momodoo Barracalla's town, Sourah, where I met Sergeant Forde and eighteen constables in two boats, whom I had written to ask might be sent up to assist, if necessary, in bringing any of the marauders down, who might probably be somewhat refractory. I there also met Constable Taylor, whom I had despatched with Serrifoo's messengers, and he reported to me that in going down the river the morning previous two canoes filled with armed warriors put off from Kekkah to intercept them (Lahai Serrifoo's own subjects and the constable). When the canoes came alongside the armed men took possession of the canoe and men and insisted upon them going ashore, they then stripped them of their clothing and put them in chains. The constable states he fared but little better, divesting him of his side arms and accoutrements, his boots, cap, and the uniform tunic off his back, thus leaving him almost in a state of nudity. He further reported that the bearers of the letter I addressed to you on the 13th instant had on their return from Bonthe been captured and put in chains, and this of course explained the detention of the messenger, which delay neither Serrifoo nor I could account for.

We proceeded thence to Mocharge arriving there about 2 P.M., landed the constables, and walked quietly up to the stockaded town, which stands off the river side some 350 to 400 yards. Chief Serrifoo, Momodoo Barracalla and I sought admittance but to no purpose. The head warrior named Commando, with whom we held a parley, said we had come to take him down to Bonthe, and, therefore, as he was safely inside, he did not intend to open the gate, either for the Commandant, meaning myself, or the Chief Serrifoo. Vangah all the time was within but said not a word. I assured them through an interpreter that our intentions were peaceful, but that I wished to see the Chief Vangah. Commando stated he had gone that morning to Kekkah, but this statement was, of course, false, as we afterwards discovered that he, thinking we were determined to enter the stockade by force, very wisely effected his escape into the bush by a back gate which led there, and which we had not the means of reaching to prevent him.

After waiting patiently for about an hour or more and without admission, I at once gave vent to my feelings, upon the Chief Serrifoo calling himself a king, and his own or rather his hired warriors refusing him admittance into one of his own towns. I did not forget to let him know that the British Government would deem him but a powerless chief and a man not to be depended upon. I cannot help but admit that had Serrifoo given his sanction to the town being taken by force, I doubt not that we should have succeeded in capturing Vangah and the other principal men without difficulty; but as I wished to disclose no hostile intentions, I might have been induced to stretch a point to secure the rascal Vangah; as it was, we were obliged to quit without entrance, or any satisfaction whatever. Barracalla suggested to the Chief Serrifoo that they should remain at the gate, and instantly despatched a messenger to Mongray to gather the whole of his own warriors, bring them down to Mocharge, and effect admission by force of arms. Serrifoo

acting upon this, then declined to accompany me to Kekkah; but I soon gave him to understand that if he refused to go, I should be compelled, though very reluctantly, to take him by force, and momentarily considering the immediate difficulties, I thought persuasion the better course to follow. I, therefore, promised him that if he accompanied me to Kekkah, I would return to Mocharge with him and await his warriors, with a view of gaining admittance. Leaving Barracalla here he consented to this; we then returned to our boats and proceeded to Kekkah. As we passed down the river we met several men in small canoes who informed us that the "war was very hot," and that a party of the warriors had been that morning pillaging the rice farms, burning the houses, and carrying off the subjects of Serrifoo and Barracalla. In fact, we saw the flames of one fire, and the dense volumes of smoke ascending upwards told us what was going on. A little lower down we passed another house which had shared the same fate, and fire was smouldering in the debris. The warriors had expressed themselves that if they saw Barracalla he would be instantly butchered.

In leaving Mongray Serrifoo had despatch his barge to meet him at Kekkah, to bring him back again in the event of my going straight on to Bonthe; but when we arrived there—and to confirm my remarks made to him at Mocharge—we found the awning broken off and thrown into the river, the barge itself broken up and sunk, and his men who propelled her taken captive and chained.

Doubting the constable's statement as to the audacity of the Kekkah warriors intercepting and plundering all the canoes passing up and down the river, I determined to find out for myself if this was actually the case; so on nearing the town, coming to a bend in the river about 800 yards distant from the landing place, I ordered the boats to remain there and keep a look-out; should they see me enter the barricade to come on with all possible speed, fearing that, as at Mocharge, if we all appeared at once we should meet with the same reception, and more particularly to see if the warriors would have the boldness to intercept me. As the boat gradually neared Kekkah, I saw on the river side between 200 and 300 armed men, besides two large war canoes, containing, as nearly as I could guess, 15 men each, all armed with guns and cutlasses, which put off ready to meet us, going a little down the river to a narrow point, we being on the farthest side. I presume they thought we intended passing; but, as I got opposite to the stockade, the boat was turned sharply round, and made direct for it. The men in the canoes seeing this also turned back, and I arrived at the landing place at the same time as the two canoes—with one on each side of the boat. I naturally expected, after seeing such preparations, an immediate attack upon the boat. I was, therefore, quite prepared to give them the full benefit of the firearms in my possession. However, seeing I intended to land, the men in the canoe jumped ashore, when the whole body of them burst out into one of their war songs, brandishing their guns and cutlasses over their heads in a most frantic and excited manner, and rushing about like a lot of demons. A few minutes elapsed before anything like quietude could be established, but when this was effected, we were, that is, Serrifoo, a man named Lahai, one of his subjects, his Advocate, and I, followed by my coxswain and his brother, one of the Government boatmen, were admitted into the town, and the gates of the three stockades were closed, barred, locked, and guarded against any retreat. Serrifoo armed with his sword; the Advocate, being a very old man, had no weapon of defence. I was armed with Inspector Snell's sword and a small revolver in my coat pocket. The coxswain and his brother were armed with two breech-loading rifles belonging to me. No sooner had the gates closed upon us when the whole of the warriors (500 as near as I could imagine) surrounded us, broke out again into the most hideous howls that well can be conceived, dancing and jumping about in all directions, headed and excited by their war devils, and, I am strongly inclined to think, also by an *ad lib.* supply of spirits which must have been consumed by them to incite them to greater hazard and daring—part of the plundered property of Mrs. Taylor. When we were all well hemmed in by the audacious rascals, preparations were, I saw, being made to seize the whole of us, and, I presume, disarm us. At that moment a subject of Serrifoo's named Lahai was recognized by one of the warriors as being an enemy of Vangah's. No sooner was this made known by more gesticulations and howls than down came half-a-dozen cutlasses across the poor fellow's shoulders, his country shirt and other clothes being torn off instantly, and I expected to see the man slaughtered at my feet. I put up my hands, and endeavoured to make them desist, but persuasion was of no avail. This excitement gave greater audacity and boldness to these half-wild savages, and gave also greater cause for alarm to me. The next moment the man came clinging on to me, followed by Serrifoo and his Advocate, who, by the way, were both treated with as much respect as the man Lahai, and were knocked about from one to the other in a most cruel manner, and said, "Massa, you see how these people do me; they are going to kill me now." On seeing

Lahai coming to seek protection from me, the war men, with their swords above their heads, were going to lay hands upon, and, I suppose, disarm me. I was completely hemmed in on all sides, and consequently had no possible means of retreat. Directly I saw the first ruffian attempting to lay hold of me I drew the sword from its sheath, and made ready for self-defence. I need scarcely add that I was not wanting either in patience, presence of mind, or forethought; and, acting as I was upon my own discretion, and keeping most vividly before me the object for which I had been commissioned by you, I refrained until the last moment—in fact, until self-defence was absolutely necessary—to take any active measures. When I drew the sword I made one desperate rush to gain and obtain clear ground, making for the upheld weapon that was aimed at me, and, being a pretty fair swordsman, I soon cleared the way. The war men, astounded to see me act thus, now prepared to hem me in again at the muzzles of their guns and points of their cutlasses, but only two of them ventured to come within range, and, although within my power to have wounded one, yet I only came again to the defensive. In the meantime the constable, my coxswain, and his brother were my only support. Seeing the attempt made to strike me, and also seeing me draw the sword, they made a bold attempt to reach me, which (I had somewhat cleared the way) they did without much difficulty. Whilst I was contending with the two men my coxswain was taking aim at the boldest of the two, and it was by the sheer mercy of Providence that I kept the man at bay, and had time to look round for my three men, and throw up with my left hand the muzzle of the coxswain's rifle, thus preventing bloodshed. I was ready and prepared for them, and, having cleared a space of at least ten feet around me, I, to make them the more comprehend my mission, although with very great danger to my own life, re-sheathed my sword, raising both hands, and making signs to them they need fear nothing from me. Lahai in the *mêlée* was carried off. I therefore did not see him again. My movements now required coolness and immediate action. The first thing I heard were orders issued from the chief warriors to messengers, to proceed with all haste to Mocharge for Commando and his force to come on without delay; and, fearing that my life, as well as those under my control, were in jeopardy, I thought retreat to my boat was the course to be pursued.

Retreat was, however, cut off; the gates were closed, barred, and guarded by at least 100 of these warriors; and I began to despair that retreat was next to impossible, notwithstanding this difficulty which I thought was insurmountable I had to contend with one as great outside the stockade. Mr. Parkinson, Messrs. George, Macauley, Williams and Preston, the constables, and the boat's crews were clammering for admission hearing the noise inside and believing me, as was really the case, to be in danger were intent upon breaking the stockade and forcing an entrance and come to my assistance. Whatever assistance they could possibly have afforded, and in the very excited manner in which they were, and wishing to take personal revenge for the outrage committed by these men upon Mrs. Parkinson and other members of her household, it was with the greatest difficulty imaginable I could keep them from breaking through the fence, which if done, would have in one sense, declared war upon them and kept us in still greater danger, and been of no avail to us, outnumbered as we were. Delay I knew would be dangerous and therefore I struggled to get to the gate and stop the men outside from attempting anything without hearing from me, that it was really and actually required. I at last reached the inner side of the three fences, and shouted to them outside to act in accordance with any instructions I might convey to them. I was escorted by 50 warriors, and again I was giving up all hope of being allowed to quit the town that night, which detention I feel sure would have caused you great alarm, fortunately however, amongst the number of the escort there was a man named William, who it appears had often frequented Sierra Leone, and could speak English; and whilst I was addressing myself to him with a view of getting out of the town, the Constable Taylor whispered in his ear that I had a present in the boat for him, which seemed to mollify him, and he promised to let me out, but before he had finished, the war crier ran round the town calling upon all the war people to assemble. He being one of the principal warriors also went, and I lost sight of him for a quarter of an hour. The warriors had in the interim ordered me to sit down and wait upon them, but that I knew from experience would be a matter of the next day, and this being now 7 o'clock in the evening I cared not to be their visitor for a night, so I walked back again to where the assembled chiefs and warriors were squatting all around, taking this man William with me to act as the interpreter. I harangued the whole assembly; I need not recapitulate here what I did say, but I made them understand that I had nothing to do with the war, and was on a peaceful mission to their Chief, that I had been molested by them without reasonable cause and professedly wished to be informed what their grievances could be against me personally and the

British Government ; I said I had come prepared to meet them in a friendly spirit, and to hear what they had to say, but that they gave me no opportunity of showing my intentions. I further told them to send a messenger, say this man William, to accompany me to the boat to obtain the present ; they, however, deputed two other warriors to go with me, and by this means alone I succeeded in effecting my escape, but even yet with very great reluctance, cut off as they knew I was from all retreat and communication. I repeat by this means alone I effected my escape and may safely assert took the lives of those whom you were pleased to place under my charge out of danger. I may be thankful I was provided with the means of not breaking my word with the Chiefs, inasmuch as I had reserved one piece of white baft and a few lbs. of tobacco for any emergency that might arise. Thus far having got safely into my boat, I ordered the party to return with all speed to head quarters, as I am convinced that nothing but force of arms will compel these men to deliver up what remains of the plunder and the persons carried away from British territory.

I now wish to inform you that from what Serrifoo himself told me in presence of Barracalla and others, that the war is his but he gave no instructions for the war to go into the Queen's land ; it was ordered to proceed to Matugba, Mr. Bull's factory, and there plunder and devastate all it could, as he, Mr. Bull, is a supporter of Tom Cabby Smith's. On hearing that his hired warriors had invaded British territory, captured and carried away British subjects, he immediately ordered the restitution of the property that could be found and some of the subjects.

The warriors are, however, of quite a different opinion. They assert that the property is Tom Cabby Smith's, that Serrifoo is demanding it back from them to hand over to Cabby, and rather than deliver it up they will devastate his, Serrifoo's, country, and towns, and capture as many of his subjects as possible and return to their country in the interior.

In closing this report I trust I have acted quite in accordance with your views, left as matters were entirely to my own judgment and discretion.

I regret much to state that the letter addressed to Lahai Gorey has not been delivered to him, as it is reported he is in the interior of the Ticongo country, to which I could not obtain messengers to convey it to him.

I also feel it my duty to commend to your particular notice, the cool forbearance and courage displayed, under most trying circumstances, by police-constable Taylor, the Government coxswain, Blackboy and his brother Robin, and at the same time to point out the cowardice and utter uselessness of several members of the police force under your supervision, and to inform you that to depend upon such men in cases of emergency like these would be to lean upon a shadow. We may thank Providence that we all escaped unhurt. I arrived at Bonthe early in the morning of Wednesday last.

I wish also to mention that nearly all the constables' clothing and arms, left at Mamaiah by them, were found at various places on the Mongray, and were given up by Serrifoo's people. I brought them on with me, and handed them over to the inspector on my arrival here.

Herewith I beg to append the statements made by police constable Taylor and the Government coxswain and his brother as to what took place behind my back during the turmoil in Ceckie.

William Budge, Esq.,
Acting Commandant of Sherbro.

I have, &c.
(Signed) T. A. WALL.

PART II.

GOLD COAST COLONY AND LAGOS.

PART II.

GOLD COAST COLONY AND LAGOS.

No. 22.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received February 6.)

My Lord,

Government House, Cape Coast, January 8, 1875.

AS the mail-steamer now overdue has not yet arrived, I am enabled to report to your Lordship the arrival here of messengers from Coomassie, who waited upon me this morning and have just left Government House.

2. They stated that they had been sent to make a formal announcement to me of the dethronement of King Coffee Calcalli and the instalment of Osai Mensah (his brother) as his successor. The messengers went on to say that the King of Coomassie desires to be on the same friendly terms with the Governor as those which existed between the old King (meaning Quacoe Duah) and Governor Maclean, and that his wish is for peace, trade, and open roads. The King desired further to bring to my notice the conduct of the King of Juabin, who they began by stating is the son of a slave woman; that he had married a free woman, but that he is not a free man, and proceeded to say, he seizes Coomassie people, kills some, wishes to take charge of Coomassie, steals swords of office-bearers and ornaments; he is doing much mischief to the villages, and he has taken possession of Sootah, Efudiasi, and other places (which they named and which, I may mention, formed a portion of the districts which had joined Juabin when it separated from Coomassie).

3. The messengers then concluded by stating that the King wished particularly that I should be informed of the conduct of the King of Juabin.

4. As I was much engaged in correspondence both for the outward and homeward-bound mail steamers, whose arrivals are hourly expected, I simply stated that I had heard what they had said and that I would see them another day.

5. So many contradictory messages have arrived from Coomassie and Juabin during the last two months on the subject of King Coffee's dethronement that I confess I am still in some doubt as to the truth of the statement of the messengers with regard to King Osai Mensah's instalment as his successor, nor am I prepared to form any confident opinion as to the present position of the other Ashanti tribes with reference to Coomassie.

6. I may, however, observe that I am of opinion that the statement with reference to the King of Juabin arises from a desire on the part of Coomassie to make out a case against the King of Juabin as the disturber of general tranquillity in the interior, in order, either to secure my interference to induce him to return to his allegiance to Coomassie, or, should any attempt be made to bring Juabin again forcibly under Coomassie rule, so that a justification in my eyes for a hostile initiative being taken by Coomassie with this object might be found in the alleged misconduct of the King of Juabin.

7. I shall endeavour as far as possible to arrive at a correct estimate of events as they take place in the interior, and will report further to your Lordship on the subject.

I have, &c.

(Signed)

GEO. C. STRAHAN.

The Aborigines Protection Society to Colonial Office.

*Canada Government Buildings, King Street, Westminster,
February 6, 1875.*

My Lord,

I AM directed by the Committee of the Aborigines Protection Society to forward to your Lordship a copy of a letter which they have received from the Rev. T. B. Freeman, of Anamabu, Gold Coast. The letter is valuable as showing the intimate relation that subsists between the pawn system and certain "customs for the dead" which would be far "more honoured in the breach than the observance." It also justifies the hope that your Lordship, by having withdrawn all legal sanctions from the pawn system, will ultimately succeed in striking a blow at practices which, so long as they continue, must prove fatal to any real progress in civilisation on the part of the native tribes.

I have, &c.

(Signed) F. W. CHESSON, *Secretary.*

Inclosure in No. 23.

*Extract of a Letter addressed to the Secretary of the Aborigines Protection Society by the
Rev. T. B. Freeman, of the Gold Coast.*

Mission House, Anamabu, December 8, 1874.

THE worst feature of the pawn system is the facilities which it furnishes for the very worst of all the usages which afflict and debase the Pagan populations of these regions, namely, that of "customs for the dead," a usage which involves heavy expenses so much in excess of the pecuniary means of thousands of families, that one member of each of such families, at the least, has to go into bondage as a pawn to provide the means for paying the heavy debts thereby incurred.

In all Pagan families it is held as a time-honoured and indispensable usage to hold expensive and extravagant drinking feasts in honour of deceased relatives, first in immediate connection with the funeral, and, in many cases, frequently to repeat them in early after-days.

The custom commences as soon as life is extinct, and generally continues on, day and night, with only brief intervals for rest and sleep, sometimes for more than an entire week. These feasts are attended by all the Pagan friends of the deceased person's family, both bond and free, and in many cases the quantity of ardent spirits, ale, porter, wine, and other expensive drinks, consumed on such occasions, is something frightful to contemplate. The consequences frequently are that many families are greatly impoverished, and more still are so far ruined as to pecuniary means of life, that, as I have already stated, one or more of the surviving members have to go into bondage as pawns.

Now, while I am writing, there is a feast of this kind in process here in this town. The grandmother of the family, a family in tolerably easy circumstances, died a few days back, and, according to custom, the drinking commenced immediately, and still continues. Besides other drinks, they have consumed an entire puncheon of rum, and have commenced another, which they will probably finish also, and thus the expenses for rum alone may be about 43*l.* sterling. A few weeks hence they may possibly repeat this drinking, and a year hence they may repeat it again, and they will thereby gain in the public Pagan mind increased applause for doing the thing so well.

It is not unusual for a poor family, having scarcely a pound to call their own, to be impelled by this destructive public prejudice—fearing to be laughed at and despised should they not do so—to incur pecuniary liabilities amounting to 10*l.* or 12*l.* or more for these feasting purposes, and then one of the sons or daughters is placed in pawn for the amount. Some one who has ready cash to spare, and who may wish to increase his or her number of dependants, advances, or rather furnishes, the sum required, say, for argument, 10*l.*, and then the native usage allows an addition of 50 per cent. on the sum supplied, and thus the pawn goes into bondage as representing security for the sum of 15*l.*

The pawn then passes into and under the power of the pawnee, has to work like an ordinary slave, or labourer or servant, as the case may be, and has a claim on the pawnee for bare subsistence and ordinary clothing, but for no pay whatever. This bondage then continues as long as the debt of 15*l.* remains unpaid; and should the pawn die, the head of the family has either to pay the debt or place another person in pawn. Should the pawnee at any time wish to close the transaction, he can hand back the pawn, and demand, and if necessary enforce, payment in the native courts of law.

It is not unusual for pawns, when the case stands on for a long period, and they have children in that state of bondage, to have that bondage perpetuated in their children; the original act of pawning is lost sight of, and they become domestic slaves.

There are many thousands of persons of both sexes, and nearly all ages, who are in this state of bondage from pawning, and it may be fairly assumed that, in the greater number of cases, they are the results of these mischievous and desolating "customs for the dead."

It is a notorious fact, well understood by those whose observance penetrates below the surface of Pagan society here on the Gold Coast, that the people generally, however much they may yield to and be for the moment carried away by the destructive excitement which obtains during these festivals, are, in their better condition of reason and reflection, weary of these abominable usages. The spread of Christianity among them, though not yet accepted by them (I of course refer to the Pagans), and the civilization which accompanies Christianity, are gradually acting upon them, and they are consequently acquiring light enough to see as well as feel the social mischief which they produce.

They are likely, however, to continue within the coils of this dread hydra for many years to come, unless Her Majesty's Government grasp it with its strong and able hand, and destroy it. The Pagans are afraid of each other, afraid of public abuse and of public ridicule, should any of them prove recreant to this time-honoured custom of their forefathers; but if the Government were to issue its mandate, and make these drunken festivities a crime punishable by the magistrate, the masses of the people would be thankful, and gladly observe a willing obedience.

I need not remark at any length on the hindrances to the spread of Christianity which these dreadful usages offer. The day has not yet arrived, it may be presumed, when any express legislation can take place in such a state of society as we have here on the Gold Coast in favour of the spread of the Gospel of Christ, but, in the cause of humanity, it may be that our Government would be willing to interpose.

I have frequently conversed with Chiefs and Headmen of this country on the dreadful social mischief produced by these customs, and I have invariably received the one answer: "We cannot stop them unless the Government interfere; but if the Government command, we will willingly obey."

I may observe, in reference to the drinking feasts and their sad concomitants of sensuality, that the duty on spirituous liquors, however high, is not likely to stop them. The duty is now very high, but if it were twice as high it would only tend to increase the excessive expenditure and consequent pawning, without in any way relieving the victims of these desolating usages.

No. 24.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, February 11, 1875.

I TRANSMIT herewith, for your information, a copy of a letter from the Aborigines Protection Society,* forwarding an extract of one from the Rev. T. Freeman, of the Gold Coast, in which he points out the relation between the "pawn" system and certain "customs for the dead" which exist there.

I have, &c.
(Signed) CARNARVON.

No. 25.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, February 11, 1875.

I HAVE the honour to acknowledge the receipt of your despatch of the 8th ultimo,† announcing the arrival of messengers from Coomassie with a report of the dethronement of Coffee Calcalli, and the instalment of his brother, Osai Mensah, as his successor.

I have, &c.
(Signed) CARNARVON.

* No. 23.

† No. 22.

No. 26

Colonial Office to the Secretary of the Aborigines Protection Society.

Sir,

Downing Street, February 12, 1875.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 6th instant,* forwarding an extract of one from the Reverend T. Freeman of the Gold Coast, pointing out the relation between the "pawn" system and certain "customs for the dead" which exist there.

I am, &c.
(Signed) R. H. MEADE.

No. 27.

Admiralty to Colonial Office.

Sir,

Admiralty, February 17, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for the Colonies, extracts from a general letter of the 15th ultimo from the Senior Naval Officer on the West Coast of Africa, reporting the inquiries made into the late disturbances at Atakoo, and the investigation of the circumstances of an attack made by the crew of the Colonial steamer "Nelly" on the Fantee police at Addafoa.

2. Lieutenant Walker further reports that the people at Great Popo have requested to be admitted into the Protectorate.

I am, &c.
(Signed) ROBERT HALL.

Inclosure in No. 27.

Commanding Officer of "Foam" to Secretary of Admiralty.

(Extract.)

Lagos, January 15, 1875.

I BEG to report that having previously visited his Excellency the Governor, I left Cape Coast on the 29th ultimo for Lagos with Captain Baker, Inspector-General of Houssa police, on board, to make further inquiry about the late disturbance at Atakoo. I arrived at Accra the following evening, embarked an interpreter, and left at noon the next day, and reached Addafoa on the 1st January to take on a boat for landing. I left at noon the same day, and landed at Atakoo at 4 P.M. We saw the chiefs who were very friendly, and assured us no disturbance had taken place, but only a misunderstanding from want of an interpreter. The Houssa men, twelve in number, also seemed quite satisfied.

A serious disturbance was also reported to have taken place on the night of the 26th December, between the crew of the Colonial steamer "Nelly" and the Fantee police. Captain Baker considered more force necessary, so I agreed that after landing at Atakoo we should proceed to Quitta and bring up some Houssas. This we accordingly did, and arrived at Quitta at 2:30 A.M. on the 2nd instant.

The Houssa police were at once embarked, and I left for Addafoa. I was detained here until noon of the 4th, and, at Captain Baker's request, Naval Sub-Lieutenant Napier and myself assisted him in investigating the disturbance previously reported; the Commander of the "Nelly," the Civil Commandant, being far too unwell to attend. It was proved to be an attack made by the "Nelly's" crew on the Fantee police, and we considered it necessary to send five of them and one civilian under escort to Accra for trial.

I have been informed that the people at Great Popo have requested to be admitted into the Protectorate.

No. 28.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, March 1, 1875.

I TRANSMIT to you extracts* from a general letter from the Senior Naval Officer on the West Coast of Africa respecting the disturbances at Atakoo, and the affray between the crew of the "Nelly" and the Fantee police; and further reporting that the people of Grand Popo have requested to be admitted into the Protectorate.

A similar request on the part of the Chiefs of Grand Popo was expressed in the letters which formed sub-inclosures to my despatch of the 10th of June.

The acquisition of Grand Popo as a British Customs port would probably be of advantage to the Gold Coast Government, not only for the revenue which it would directly bring, but as preventing a diversion of trade from our duty ports on the Volta and along the shores of the Ahoonah country. On the other hand, Grand Popo is in proximity to Dahomey; and it may be gathered from the letters of the Chiefs to which I have referred that they were prompted to seek British protection, in some measure, by the hope of obtaining British assistance in their local quarrels with the Dahomians and other neighbours. I should be glad to receive a report from you on the subject.

I am, &c.

(Signed) CARNARVON.

No. 29.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received March 1.)

My Lord,

Government House, Cape Coast, February 1, 1875.

I HAVE the honour to inform your Lordship that the revenue collected at Quittah during the quarter ended the 31st December, 1874, amounted to 1,496l. 3s. 5d.; and at Addah, for the same period, to 920l. 7s. 9d.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 30.

M. J. Bonnat, Esq., to Colonial Office.

My Lord,

13, Dorset Road, Liverpool, March 6, 1875.

ABOUT three months ago I had the honour of addressing to you, through Sir Garnet Wolseley, a letter by which I was making known to you my intention of exploring the Upper Volta, and of establishing factories on its banks. In your reply of the 21st December ultimo your Lordship had the kindness to say that "the Governor of the Gold Coast would be ready to afford me such countenance and moral support as he might, consistently with what is proper and expedient, render during the exploration which I might undertake in the Upper Volta; and that your Lordship would communicate with Captain Strahan in this sense."

A few days after the receipt of this letter I had an interview at the Colonial Office with one of your Secretaries, and he reiterated to me that your Lordship was interested in my scheme. From that time I have been in Liverpool, where I have just made arrangements with Mr. C. de Cardi, Liverpool merchant, to carry out the object I have in view. I take the liberty of informing your Lordship that I sail for the Gold Coast on the 20th instant; from Cape Coast I will proceed to Coomassie, where lies the success of my undertaking; thence to Salaga and back again down the Volta by canoe to Adah, where I am to meet my assistants and the materials necessary for the work.

My thorough knowledge of Ashanti, as well as the popularity I have acquired among the Chiefs, is almost a guarantee of success, and will very sensibly lighten the task, so full of importance and difficulties.

While pursuing my commercial undertaking amongst the Ashantees, I may assure

your Lordship that I will seize every opportunity of rendering services to the Gold Coast Colony. Although a Frenchman, I owe a debt to England, which I do intend to repay.

I remain, &c.
(Signed) M. J. BONNAT.

No. 31.

Major-General Sir G. J. Wolseley, G.C.M.G., K.C.C., to the Earl of Carnarvon.—
(Received March 8.)

On board steam-ship "Walmer Castle," Madeira,
February 28, 1875.

My Lord,

I HAVE the honour to inclose, for your Lordship's consideration, a letter which I received, when on the eve of sailing, from M. Bonnat, one of the prisoners detained by the King of Ashanti at Coomassie until released, on the approach of the European troops, in January of last year.

I have, &c.
(Signed) G. J. WOLSELEY,
Late Administrator, Gold Coast.

Inclosure in No. 31.

13, Dorset Road, The Brook, Liverpool,
February 20, 1875.

General,

ALLOW me to confirm my letter to you of the 19th instant. Only to-day, and on the point of my departure for the Gold Coast, the idea strikes me that, being acquainted with the language and customs, and also well known to the principal personages of Ashantee, it might be in my power to render to England some return for the eminent service she has, through you and your valiant army, conferred upon me in my liberation. While following out my commercial pursuits in that part of the world, it would be an easy matter for me to watch over the manifold interests of your country, if for that purpose it were thought desirable to grant me the honorary title of Consul or Consular Agent at Coomassie without salary. You will be able to judge how far the long experience I have acquired during my captivity, as well as my personal character, make it proper for me to receive from your Government such a distinction. I am induced to make this communication to you through the kindness and interest you have shown to me on many occasions, both in Africa and in England, and feel certain that with your usual frankness you will inform me whether you think my suggestion a practicable one and worthy of your support.

Apologising for trespassing upon your time, which must be already too much taken up, I have, &c.

(Signed) M. J. BONNAT.

Sir Garnet Wolseley.

No. 32.

M. J. Bonnat, Esq., to Colonial Office.

My Lord,

4, Brunswick Street, Liverpool, March 11, 1875.

I HAVE the honour of acknowledging the receipt of your esteemed favour dated 3rd instant,* by which your Lordship kindly informs me that the Governor of the Gold Coast will afford me such assistance as may be possible in carrying out my enterprise.

I start for the Gold Coast by the mail of the 20th instant, as stated to you in my letter of the 6th.

Begging your Lordship to accept my grateful thanks, I remain, &c.

(Signed) M. J. BONNAT.

* Inclosure in No. 33.

No. 33.

Colonial Office to M. J. Bonnat, Esq.

Sir,

Downing Street, March 12, 1875.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 6th instant,* stating that you are about to leave England for the Gold Coast, to carry out your intention of exploring the Upper Volta and establishing factories on its banks.

I am to acquaint you that, on the 3rd instant, a letter (a copy of which is herewith inclosed) was addressed to you by direction of Lord Carnarvon; but as this Department was not aware of your presence in England, it was sent to the address in France given in your letter of the 19th November last.

I am, &c.

(Signed) R. H. MEADE.

Inclosure in No. 33.

Sir,

Downing Street, March 3, 1875.

WITH reference to your letter of the 19th November, I am directed by the Earl of Carnarvon to acquaint you that the Governor of the Gold Coast has reported to his Lordship that it will afford him much pleasure to give you such assistance as may be possible in carrying out your enterprize.

I am, &c.

M. Bonnat.

(Signed) R. H. MEADE.

No. 34.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received March 12.)

My Lord,

Government House, Cape Coast, February 14, 1875.

REFERRING to my despatch of the 8th of January,† reporting the arrival of messengers from Coomassie to announce the dethronement of Coffee Calcalli, and the instalment of Osai Mensah in his stead, I have now the honour to report that further messengers arrived some days afterwards, the chief of whom was one of the Ambassadors who came down to Cape Coast to sign the Treaty in March last, and who had gone up to Coomassie for a time, and before returning was charged, as he said, with the message which he delivered to me.

2. This message, which from a variety of causes, among which was the illness of my best interpreter, was not delivered until the 4th instant, was in substance the same as that reported in my despatch above quoted, viz., announcing the instalment of Osai Mensah as King, expressing the King's desire to maintain peace and to encourage trade between the interior and the coast, and complaining of the conduct of the King of Juabin, whose conduct in seizing and robbing people of Coomassie the messengers alleged was such as to bring about disorder.

3. In my previous despatch on this subject I expressed a doubt as to whether Osai Mensah had actually been installed as King, but from information which I have since received, I have reason to believe that the statement made by the messengers was in this respect correct.

4. In reply to the messengers I expressed the hope that the assurance of the new King's desire to maintain peace and encourage trade might be taken as a proof of his good sense; that I had no desire to be on other than friendly relations with him and his people; and that every facility would be given by me for carrying on trade with the coast.

5. The messengers thereupon expressed themselves as much pleased, and thanked me.

6. The Chief Ambassador then said that as all palavers had now been settled, and as the Embassy had been nearly a year away from home, it was their intention, with my permission, to return in a few days to Coomassie, and in order to mark that everything had been satisfactorily arranged they requested that a salute might be fired before their departure. As considerable importance seemed to be attached to the firing of the salute, it having been mentioned in more than one previous palaver, although with their usual astuteness, at

* No. 30.

† No. 22.

first, as a matter of course, and as if it were simply a native custom on such occasions, I felt that there was some object which they hoped to gain thereby, and always evaded the question until this interview, when the inquiries which I had made in the interval induced me to reply as follows :—

“You have my permission to return to Coomassie with the message which I have just given you to the King.

“With regard to the salute, you are aware that Governor Maclean” (at this stage they looked the picture of innocence, as they always do when their motives are discovered) “called upon King Quacoe Duah to lodge as security for his good behaviour 600 oz. of gold ; that after a lapse of twelve years, during which Quacoe Duah had behaved well, and gave Governor Maclean no trouble, he returned the 600 oz. and fired a salute to show that there was no more ‘palaver.’ You are also aware that the King of Coomassie is bound by the Treaty to pay to the Queen 50,000 oz. of gold at such times and in such portions as the Queen may from time to time direct, and that only a small portion of this amount has been paid.

“Now, if a salute were to be fired, the King of Coomassie might think on your reporting it to him that it was done under the same circumstances as those I have mentioned as happening in Governor Maclean’s time, and that he was not to be called upon to pay any more of the indemnity money.

“I am anxious that there should be no misunderstanding on this point, and that nothing should be said or done here to lead the King to suppose that he was no longer bound to fulfil this and every other part of the Treaty,” which I explained with considerable care was binding in every particular whoever might be on the Throne of England, or whoever might be King of Ashantee, and that no salute could add to or take away from the obligations of the contracting parties. This last explanation as to the validity of the Treaty brought forth expressions of great satisfaction (whether real or feigned I cannot say).

On this the Chief Ambassador said that they perfectly understood that the King was bound to pay the indemnity money whenever called upon by the Queen to do so, and that their object in requesting the salute was that their object in requesting the salute was that they might show the King that their mission was satisfactorily ended, but after my explanations they were satisfied.

7. On rising to take my leave the Chief Ambassador endeavoured to get an expression of opinion from me with regard to what they had said of the conduct of the King of Juabin. This I purposely avoided giving, being of opinion that although I have always in my interviews with both the Coomassie and Juabin messengers shown them that non-interference is our policy, there is no harm done in leaving both parties somewhat dubious as to what action may be taken towards the party who first breaks the oath which was taken before Captain Lees at Coomassie and Juabin.

8. The Coomassie Ambassadors left on the 8th instant, and I am thus relieved of an element which occupied much of my time, and required the exercise of no small degree of patience in hearing lengthy statements which in most cases I knew to be false, and in conducting palavers which ranged from requesting my mediation between Coomassie and Juabin to a bottle of eye-wash for one of the Royal family.

9. Juabin messengers arrived lately, and have had one interview with me, in which they endeavoured (I need not say unsuccessfully) to get an assurance from me of protection in the event of an outbreak of hostilities between Coomassie and Juabin, and made complaints of the conduct of the King of Coomassie similar to those urged by the Coomassie people against the King of Juabin.

10. I will continue to watch events, and report from time to time the state of affairs in the interior so far as I can obtain reliable information on the subject.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 35.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received March 12.)

My Lord,

Government House, Cape Coast, February 15, 1875.

ALTHOUGH by again addressing your Lordship on the subject of the documents forwarded in my despatches of the 3rd and 8th January,* I may be giving them a place in my correspondence with your Lordship of which they are certainly unworthy, I think

* Nos. 1 and 3 of Command Paper [C, 1159 of 1875].

it is right that your Lordship should know that in the interval which has elapsed since these documents were forwarded, I have had opportunities, without seeking for them, of seeing several of the persons whose names appear as signatories to the Petitions, and am now in the position to state that these Petitions, so far as embodying any exposition of native views is concerned, are no better than forgeries.

I may mention to your Lordship, as one of the most glaring proofs of the unauthenticity of these documents, that one of the Kings whose name appears on the Petitions informed me that he had no knowledge of their contents, and was not a little astonished when I showed him his name and supposed mark, which he affirmed had been placed there without his knowledge or consent.

Had I felt justified in suggesting to your Lordship the reply which would properly be given to these Petitions, it would have been to inform the authors that the scheme of emancipation which has been published has the full sanction of Her Majesty, and that laws had been passed on the subject which had now received Her Majesty's confirmation, and which it was for the people to obey and for the Governor to enforce. In this way the trade of agitation which the Petition writers had set on foot would meet with a speedy and effectual check.

Your Lordship will be glad to learn that perfect tranquillity prevails throughout the Protectorate, and that questions arising out of the scheme of emancipation are being easily and promptly dealt with.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 36.

Colonial Office to M. J. Bonnat, Esq.

Sir,

Downing Street, March 12, 1875.

I AM directed by the Earl of Carnarvon to acquaint you that Sir Garnet Wolsely has forwarded to his Lordship your letter of the 20th ultimo,* offering your services as Consul or Consular Agent for Great Britain in Ashantee.

I am to thank you for your offer, and to state that Her Majesty's Government do not at present entertain any idea of appointing an Agent at Coomassie.

I am, &c.

(Signed) R. H. MEADE.

No. 37.

The Basle Mission to Colonial Office.

Dear Sir,

8, Moorgate Street, London, March 20, 1875.

I HAD the pleasure of seeing you some months ago, and told you then that I thought it possible that the Bale Mission might give a number of buildings to Her Majesty's Government at Christiansborg suitable for a Government residence. Consequently I wrote to Christiansborg, but the answer, which I have now received, is not encouraging: the white ants have made great havoc in several of our buildings, and it would not be fair to offer them for sale.

Ashantee seems to be still unsettled, and I wish very much that those tribes who aim at independence from the Kumase King may peacefully succeed and, sooner or later, join the protected tribes. The great point for inducing them to do so will be a successful administration of the Gold Coast. You have no doubt great difficulties at present; the slave question is a question of administration, requiring great decision as well as great carefulness. My views are the same with the original views of Lord Carnarvon. I think it had been wise to proceed more slowly with the abolition, and that on two grounds: the Proclamation must have discouraged those Ashantee tribes who seek independence from Kumase; they might have received more time after the war to carry out their plan before the proclamation of abolition. Secondly, in a country with so little free labour, and so little moral force, abolition of slavery, which I defend absolutely, requires, no doubt, in the first instance careful preparations of the necessary measures to meet the immense difficulties of abolition, to check and to engage all those dangerous elements of society that will and must turn up in such a country.

* No. 31.

By those measures I mean—

1. Giving a sort of official position to the leading native Chiefs, with the object to make use of them in the interest of Her Majesty's Government, to prevent them from doing mischief, to secure their consent with the abolition of slavery without speaking even about it by giving them a modest salary. By these arrangements the Chiefs would become a sort of Government officials, and lose their traditional, independent, native-official capacity, handing over all administrative power to Her Majesty's Government, which is an absolute necessity, because these native Chiefs must disappear by and by; the British Government must positively govern. All these native Courts do more mischief than good.

2. The Governor must have more European hands than he had before, else the before-stated machinery cannot be put to work.

3. Roads and other public works must be made to facilitate free labour and to open the resources of the country. As long as there are no roads, all country produce must be brought to the market on the heads of people, and that in itself is slave work; it is unfit for a free man. Such work would afford excellent opportunity to engage idle and troublesome people, if necessary by force.

4. A law must be given that the natives have to keep the roads in order; they are made for their benefit.

5. Tracts of land must be set apart for a home and refuge of slaves if necessary. There is plenty of land which Her Majesty's Government can apply for such a purpose without pay. If I speak so, I speak by an experience of thirteen years on the Gold Coast. I helped for three years, from 1862-64, to abolish slavery actually among the Christians of the Bâle Mission on the Gold Coast, and by facing the difficulties—the greatest difficulty was finally secret slavery and pawning—I have got some idea of the long road between a Proclamation of Abolition and actual abolition. Even therefore I look far more to sufficient Government administration than to the naked slave question. The whole old Gold Coast policy must be entirely left. The Governor must govern, not write and not talk more than he can carry out, and strictly carry out what he says. That is the way to command respect to law. No doubt little of these preparations were made before the proclamation of abolition, and that is the only mistake I saw in the Proclamation, it was too little prepared. This may be done now, and I rejoice to see fulfilled many wishes I had for so many years. May God bless Her Majesty's Government on the Gold Coast!

I am sorry that we cannot offer you the buildings I thought about, and wish to see soon a Government Sanitarium on the hills, and by and by some English ladies in the Sanitarium during the dry season, to improve the tone of society, which is so very important.

I remain, &c.
(Signed) ELIAS SCHRENK, *Bale Missionary.*

No. 38.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, March 22, 1875.

I HAVE received your despatch of the 14th February,* reporting that the Embassy who came to announce the dethronement of Coffee Calcalli, and the installation of Osai Mensah as King of Coomassie, had left Cape Coast.

I have to express my entire approval of your proceedings in relation to the Ambassadors.

I have, &c.
(Signed) CARNARVON.

No. 39.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, March 23, 1875.

I HAVE to acknowledge the receipt of your despatch of 15th February,† on the subject of the petitions against the abolition of slavery on the Gold Coast.

* No. 34.

† No. 35.

I have already, in my despatch of the 19th February, put you in full possession of the views of Her Majesty's Government on this matter.*

I have, &c.
(Signed) CARNARVON.

No. 40.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received April 1.)

My Lord,

Government House, Cape Coast, March 5, 1875.

I HAVE the honour to report to your Lordship that, having received a complaint from one Fosoohiu, belonging to Eastern Akim, that he had been seized and beaten by one of the Chiefs of King Quabinah Fuah, of Western Akim; that his wife and younger brother had been detained, and his property confiscated; I sent a policeman on the advice of the Queen's Advocate to desire the King to send down the parties who had committed the outrage, along with the people who, it was alleged, were being detained.

The King, in reply to the policeman, said that he himself authorized the people who ill-treated Fosoohiu to do so, that he would never deliver the people to the policeman, that he would render no assistance for bringing the people to Cape Coast, and that if the Governor wanted him, he could summon him.

3. As I viewed the action of the King of Western Akim, who has always been troublesome, relying on the distance of his capital from the Coast to escape punishment, as being such as, if allowed to pass unnoticed, would be most prejudicial to the good order of the Protectorate; and considered that, supposing even that the statement of the messenger had been exaggerated, the mere fact of the King not sending a cane-bearer to explain matters to me, as is customary in such cases as between the Kings and Chiefs of the Protectorate and the Governor, of itself showed a spirit of insubordination, I requested Dr. Gouldsbury to proceed with 150 Houssas, under Captain Baker, the Inspector-General, to demand from the King the people whom he had taken, and the property he had confiscated, and to inform him that to punish him for his disrespect to Her Majesty's Government, I fined him 30 ounces of gold.

4. Your Lordship will observe from Dr. Gouldsbury's Report, which is attached, that his mission was successful.

5. On the subject of Dr. Gouldsbury's visit to Eastern Akim, and the sum of 200*l.* referred to in his Report, I will address your Lordship in a separate despatch.

I have, &c.
(Signed) GEO. C. STRAHAN.

Inclosure in No. 40.

Your Excellency,

Accra, March 1, 1875.

I HAVE the honour to report that, in compliance with your instructions, I proceeded from Cape Coast on the 10th ultimo to Western Akim, being accompanied thereto by Captain Baker and a detachment of 150 Houssas.

On the evening of the 14th ultimo we reached Insuim, which is the principal town of Western Akim, and is the residence of the King, Quabinah Fuah.

On my arrival I sent a message to the King directing him to come to where I had halted, as I wished to speak to him. After some little delay, which hesitation was caused by fear, Quabinah Fuah appeared, and, without going through any form of greeting, I at once informed him that I desired to see him and his chiefs at 8 A.M. next morning, in order to deliver the message sent by your Excellency.

Next morning, viz., that of the 15th ultimo, I met the King and chiefs and imparted to them the substance of your Excellency's instructions to me.

Quabinah Fuah appeared to be much frightened, and he at once promised to hand over to me the two persons he had been retaining in his possession. I spoke sternly to him in reproof of the disobedient and disrespectful demeanour which he had exhibited towards your Excellency; and I took advantage of the occasion to impress on all present that the fact of being five days' journey from the coast was not now, nor never again would be, any protection to them against punishment for offences committed against the law or for disobedience to the orders of the Government.

* Vide No. 4 of Command Paper [C. 1159 of 1875].

Having informed Quabinah Fuah that the amount of the fine inflicted on him for his grossly culpable conduct was thirty ounces of gold, I fixed 4 o'clock P.M. as the hour at which this fine was to be paid. I also informed the King that he would have to return the property taken from Fossohin, or pay over to me its equivalent in gold or specie.

At about 1 o'clock P.M. Fossohin's wife and brother were sent to me by the King, and at 5 o'clock P.M. the fine of thirty ounces of gold was paid over to me. The amount representing Fossohin's confiscated property (19l. 16s.) was paid to me at 6 A.M. on the 16th, immediately after which Captain Baker with 100 Houssas left for Cape Coast, and I started with a detachment of 50 Houssas for Eastern Akim.

I cannot but think that the rapid and energetic action taken by your Excellency in this case has had, and will continue to have, a most desirable effect in inducing and upholding a proper respect for the orders of the Government, and that it will operate forcibly in instilling into the minds of the people a wholesome fear that punishment will follow quickly on the footsteps of wrong doing; and that distance from the seat of Government, or from the coast, is no longer any protection to the disloyal or disobedient.

Leaving Insuim on the morning of the 16th ultimo I reached Kibbie, the chief town of Eastern Akim, on the evening of the 20th, the journey being a five days' one, and the route lying through a wild and very sparsely populated country.

On my arrival at Kibbie I directed King Attah to despatch a message to the Chief of Toomfar, ordering him to appear before me at Kibbie.

The Chief of Toomfar, as your Excellency is aware, is the man indicated by Mr. E. Bannerman as being the principal person implicated in the appropriation of the 200l. lost during the Glover expedition.

On the 22nd the Chief of Toomfar arrived at Kibbie, and I had a long interview with him with reference to the missing 200l. He asserted his innocence in the matter, and affirmed that he never saw any of this money. I then asked him if he were so innocent in the matter why it was that he refused to appear at Accra when summoned thereabout this 200l. To this he gave only the evasive and shifty replies resorted to by the native when he finds it inconvenient to give a direct and straightforward answer.

I then informed this Chief that I would make him a prisoner and bring him to Accra, and thereupon handed him over to a guard of Houssas with strict orders that he was not to be permitted to have any communication with King Attah or any of his people.

A few hours after this King Attah came to me with some of his chiefs, and I informed him of the accusation I had against his Chief and himself (*vide* Mr. E. Bannerman's "Memorandum") with reference to the 200l. King Attah protested that he never touched a sixpence of this money, and that he knew nothing about it. He asked me what the Chief of Toomfar had said in reply to my accusation, but I declined to enlighten him on that point. He then said that, rather than let his Chief be taken as a prisoner to Accra, he would pay the 200l. To this I made answer that if he and his Chief were as innocent in the matter as they asserted, it was inexplicable to me why he, the King, should volunteer so readily to pay the 200l. I also added that I would accept the 200l. and would release his Chief, but that I would only accept the money on the assumption that the Chief and himself were not innocent of the charge laid against them, and that the money had been appropriated by them.

King Attah begged me to allow him a few days to collect the amount, and I gave him up to 6 o'clock A.M. on the 24th ultimo. At about 7 A.M. on the 24th King Attah paid the 200l. in gold dust, and I thereupon released the Chief of Toomfar.

Immediately after this I started for Accra, where I arrived on the night of the 27th ultimo.

It would have been impossible for me to have collected in Akim sufficient evidence to prove, with legal precision and completeness, the guilt of the Chief of Toomfar or the King as regards the 200l., as such evidence would have to be sought for amongst their own people, who would have sworn to whatever the King and Chief would say.

I considered, however, that King Attah's eagerness to prevent his Chief being brought to Accra and an investigation being held into the affair, justified me in assuming guilt on the part of himself and the Chief of Toomfar.

After King Attah had paid the 200l. he said that he hoped that there would be nothing further done in the matter, and that he and his Chiefs would have no more trouble about it. I replied that I could not promise that his wishes would be realized, but that I would take upon myself to recommend to your Excellency that the affair should be allowed to end *heré*.

I think it will not be out of place to add, for your Excellency's information, that at the different towns and villages through which I passed the inhabitants appeared much impressed with the display of power as indicated by the large force of Houssas which I

had with me, and that along the whole route the people exhibited a marked tone of civility, and a desire to please.

Trusting that I have carried out the missions entrusted to me to your Excellency's satisfaction,

I have, &c.
(Signed) V. SKIPTON GOULDSBURY,
Acting Civil Commandant, Accra.

His Excellency Captain Strahan, R A.,
Governor, Gold Coast.

No. 41.

Governor Strahan C.M.G., to the Earl of Carnarvon.—(Received April 1.)

My Lord, *Government House, Cape Coast, March 5, 1875.*

I HAVE the honour to forward to your Lordship a Memorandum which I have received from Captain Sale with reference to the choice of the seat of Government of the Gold Coast, together with a letter recommending that his successor and two or three foremen of works should be sent out as soon as possible.

2. Your Lordship will observe that Captain Sale is of opinion that Accra is the most suitable spot for the future seat of Government, and the considerations which have weighed with him in coming to this conclusion are stated briefly but concisely and clearly in his Memorandum, and although Captain Sale only looks upon it as a preliminary Report, preparatory to a detailed Report, which will only be completed after his return to England, I may inform your Lordship that I agree with Captain Sale in the opinion expressed by him with reference to Accra.

3. As compared with Elmina and Cape Coast, I consider the neighbourhood of Accra possesses advantages over both of these places in a sanitary point of view which ought to outweigh every other consideration.

4. I can confidently state that I have never visited Accra without being sensible of the superiority of its climate over every other place which I have visited on the Coast. Again, in the neighbourhood there is a healthy range of hills.

5. The sanitary condition of the native town of Accra is capable of being improved, and on my last visit I had no difficulty in obtaining the co-operation of the King and Chiefs in erecting latrines in suitable localities to the rear of the town with a view, on their completion, to making it punishable to use the beach for purposes of nature. In this way one of the most obnoxious of the evils of Accra will be speedily removed.

6. Commercially Accra is the head-quarters of a district where a large trade is carried on, and contributes in Customs nearly one-third of the Revenue of the Gold Coast.

7. Politically I see no reason why the transfer of the seat of Government to Accra should operate injuriously, but it would be necessary to have always a reliable Officer either at Cape Coast or at Elmina to exercise a supervision over the affairs of the western districts with some such title as "Commissioner for the Western Districts," and who would report on all matters directly to the Governor.

8. I have approved an estimate drawn out by Captain Sale for the erection of a house at Aburi as a Sanitorium for public officers at a cost of 1,100*l.*, but I shall await your Lordship's instructions before sanctioning any works at Accra involving expenditure beyond what may be necessary in putting up some wooden buildings, the materials for which have been lying here for some time, but were not put together for the reasons stated in the Acting Administrator's despatch of the 18th June last.

9. I entirely agree with Captain Sale in his recommendation that a permanent Colonial Engineer be sent out at once, as however elaborate may be the estimates prepared by Captain Sale, and however minute his instructions for carrying out the public works which may be contemplated, all will be unavailing without the supervision of a competent engineer.

I have, &c.
(Signed) GEO. C. STRAHAN

Inclosure 1 in No. 41.

Memorandum on the Choice of the Seat of Government of the Gold Coast.

THE choice is practically limited between Cape Coast Castle, Elmina, and Accra, no other place (one only excepted) having any special advantage which is not shared by some one of these three places.

The one exception is Addahfoh, which has this special advantage that it is at the mouth of that fine river the Volta; but this spot, from its extreme and notorious unhealthiness, is so entirely unsuited for a residence for Europeans that any further consideration of its claims is unnecessary.

Cape Coast Castle has, perhaps, more house accommodation ready and available for use than any place on the coast; but this advantage, though by no means an unimportant one, is much more than balanced by the extreme and only too well known unhealthiness of the place. I will not in this, which is more a brief summary than a Report, go into the question of why Cape Coast Castle should be so unhealthy, but will merely say that, after careful consideration, I am of opinion that no sanitary work would materially diminish the unhealthiness of the place for Europeans, though the health and comfort of the native inhabitants would doubtless be enhanced by a good water supply and drainage. Moreover, the house accommodation at Cape Coast Castle is insufficient, and more could not readily be provided.

Elmina has several special advantages; it is built on sandstone, has the best landing on the coast, a bay which offers a hopeful prospect for engineering improvement, has a fine castle, a more or less complete system of forts, a comparatively good water supply, a site (that of the bombarded town) ready for the erection of Government buildings; is the port which was formerly most used by the Ashantees, and finally is considered healthier than Cape Coast Castle.

There seem strong reasons for fixing the seat of Government at Elmina, but there are also decided drawbacks.

The River Beyah spreads out into rather extensive mangrove swamps behind the town.

The site, the only suitable site for Government buildings and residences of officials, would be that of the old native town, a spot saturated with filth, and, owing to the horrible native custom of burying the dead within the houses, objectionable in the extreme as building ground.

The bay and river could doubtless be improved so as to be available for vessels of light draught, but would not be much used because there is not any great trade or prospect of trade in bulky cargo. If it were at heavy cost made available for steamers as a refitting station it would be occasionally used, but even in this case the money would be spent to infinitely greater advantage at Lagos, a place, from its position, rapidly developing trade, and amount of shipping, certainly the one most suitable for a refitting station for steamers not drawing more than 10 feet of water.

It was supposed that the hill called Mount Eguoffo, situated about five hours' journey behind Elmina might be used as a sanatorium. I have visited this hill, and am of opinion that its very small height, 450 feet, is not sufficient to compensate for the fact of its being approached by a road passing through many and noxious swamps. Indeed, it may be said broadly that the country between it and the sea is swamp, with here and there a patch of rising ground, so that, whereas at the sea side it is only the land breeze which is tainted with malaria at Eguoffo, both the sea and the land breeze are impure.

This prevalence of swamp in the country behind Elmina seems almost fatal to any prospect of improving the sanitary condition of the place.

Accra is the largest commercial town on the Gold Coast; it is built on a light sandy soil over soft sandstone rock. The country around it, instead of being bush or swamp, as at Cape Coast Castle, is open, dry, and gently undulating. It has to the westward a small salt lagoon, free from mangrove, into which, in the height of the rains, flood water runs from a considerable distance inland.

Accra has at present a very imperfect water-supply: a few wells yield an inferior brackish water; the poorer class of natives get their water from a pool at a little distance outside the town, the better class send for their drinking water to Christiansberg, and the Europeans rely almost entirely on rain-water stored in tanks, this last affording a good and pure water for drinking purposes.

Accra is badly built; the streets are narrow and crooked, and every sanitary precaution is disregarded by the natives to a degree which almost passes belief.

The natives resort for purposes of nature to the sea-beach, directly to windward of

the town : as a consequence, the otherwise pure sea breeze blows over the town contaminated with the smell of ordure, and the very streets are polluted by this most especially filthy race of men.

Finally, the landing at Accra is bad and at times even dangerous.

These are the drawbacks to Accra ; they are numerous and grave ; nevertheless, I am of opinion that the special advantages possessed by this place more than outweigh them.

In the first place, Accra, in spite of bad house accommodation, fearful smells, and scanty water supply, is less noxious to Europeans than any place on the coast.

It has within a day's journey a place, Aburi, far healthier than any place within reach of Englishmen on the West Coast of Africa, a place which the experience of years has shown to be highly beneficial to those who resort to it for change of air.

Accra has around it an open and comparatively healthy country, drier and more free from swamp than any other place on the coast ; there are no noxious malaria breeding valleys, but the whole country is open and exposed to the healthy action of the sun and sea breeze.

These are advantages which cannot be passed over lightly, and, moreover, many of the drawbacks can be avoided or remedied.

The filthy and unsanitary state of the town can be checked by a determined enforcement of some of the commoner habits of decency and cleanliness.

The bad landing can, I am of opinion, be so far improved by works within the resources of the Colony as to be practicable at all times of the year.

The question of water supply is simpler than might be supposed. There is no chance of bringing in a continuous supply from any of the adjacent streams, and I do not think that much is to be hoped for from well-digging, though I am now having one sunk in the only promising spot.

There is, however, no practical difficulty in getting a sufficient supply of water quite good and pure enough for drinking purposes for Europeans by collecting the rain water from each house in iron or masonry tanks.

For purposes of ablution and for the supply of natives, a tank properly dug and fed by drainage from a very suitable collecting ground behind the town of Accra, without going into any costly and elaborate work, would suffice to meet the necessities of the case.

In this (necessarily a hasty and preliminary report) I am unable to go into figures and question of relative cost. I consider, however, that there will not be any very material difference in the expenditure which would be necessary were the head-quarters of Government at Elmina or at Accra. Probably the works at Elmina would cost less, but the work could be quicker done at Accra owing to the greater amount of labour available at that place.

In conclusion, after careful and detailed inspection of the whole coast line from Cape Coast Castle to Quittah, and bearing in mind that the health of the European officers of Government is the paramount consideration, I cannot avoid the conclusion that Accra is the most suitable spot for the future seat of the Government of the Gold Coast.

(Signed) M. T. SALE, *Captain, R.E.*

Cape Coast Castle, March 3, 1875.

Inclosure 2 in No. 41.

Sir,

Cape Coast Castle, March 5, 1875.

ACCORDING to the instructions which I received from Her Majesty's Secretary of State for the Colonies, I was to proceed to this Colony to remain there six months, to prepare a special Report on the works to be undertaken, and to take steps to commence those of them which were of immediate necessity.

All this I have done, or am doing to the best of my ability ; but, in addition to this, I am, according to your instructions, taking steps to commence some of those works which would otherwise be only designed by me.

Original works are now either started, or will in a few days be started. at Cape Three Points, the Sweet River, the River Prah, Accra, Aburi, and Lagos ; these, in addition to extraordinary repairs, and the current works of the Colony.

Entirely unassisted as I am by any competent and reliable subordinates, the supervision of these works will make heavy claims on my time, and will make it exceedingly difficult for me to devote myself to my proper duty, that for which I came out, namely, the designing and estimating of works to be carried out by my successor.

Hitherto my time has been so taken up by the incessant travelling, and the prelimi-

nary examination necessary for me to form an opinion in the matter of the choice of the seat of Government and of a sanatorium, that I have only been able to get out estimates for comparatively few of the works which will be required.

Moreover, it is most essentially necessary that my successor should be here at least three weeks before my term of service elapses, in order that I may have the opportunity of visiting with him the several places at which works are to be commenced.

If my successor is not here before I leave, either the several works must be left without effective supervision, in which case they would come to a standstill, or grave mistakes would be made; or else, presuming him to arrive shortly after I leave, he would take up work on a country new to him, in ignorance of much which could only be learnt by joint inspection.

My time of service expires on the 5th of June, and I embark for England as nearly as possible on that date, failure of health excepted.

Therefore, and as the conditions of my work are somewhat changed, by your desire that I should actually start some of the works connected with the provision of quarters for Government officers at Accra, I cannot too strongly urge that you should represent to Her Majesty's Secretary of State for the Colonies the extreme desirability of sending out my successor as soon as possible.

I would here take the opportunity of representing how desirable, and even necessary, it is that two or three white foremen of works should be sent out with my successor.

I have, &c.

Captain Strahan, R.A.,
Governor.

(Signed) M. T. SALE, *Captain, R.E.*

No. 42.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received April 1.)

My Lord,

Government House, Cape Coast, March 6, 1875.

AS four months have elapsed since the announcement of the scheme of emancipation was made to the Kings and Chiefs of the Protectorate, and as the large number of cases arising out of the abolition of slavery have come before Mr. Chalmers, as Acting Chief Magistrate and Judicial Assessor, I called upon this officer to furnish me with a report of the working and results of the scheme, which I now forward for your Lordship's information.

I have, &c.

(Signed) GEO. C. STRAHAN

Inclosure 1 in No. 42.

Sir,

Cape Coast, March 6, 1875.

IN answer to your Excellency's letter of the 4th instant, in which you desire from me a report of the working and results of the scheme of emancipation, I have the honour to state:—

1. Only a few instances of slave-dealing have come under my cognizance. I have had to punish three or four well-defined cases of sale and purchase. Two attempts at sale were reported prior to completion, in which the attempt was clearly proved, and about as many more charges of attempts where the proof was doubtful. All the cases related to the sale of natives of the interior, brought into the Protectorate from Ashanti. It is worthy of remark that, in the cases where sale was effected, it only took place after the slave was offered to a considerable number of persons in succession, who declined entering into any such transaction. Very few cases of pawning have transpired, and there is reason to suppose in these instances that the parties were imperfectly informed of the new laws on the subject.

2. No accusation has been made against any native Chief of having attempted to bring any servant back into servitude who has left his master. Nor has any application been made to any Court of the Colony for such an object. This latter fact, however, is but little remarkable, as this has not at any time been a form of application of any but the very rarest occurrence.

3. Very numerous instances have occurred, and are still occurring, of persons seeking the intervention of the Courts to aid them in removing their relations from distant parts of the country where they may be domiciled, and conveying them to the locality where their

tribe or family has it home. Cases of this nature constitute at least nine-tenths of all that have occurred in connection with the emancipation scheme, and deserve a word or two of special remark, throwing, as they do, a curious light on the internal history of the Gold Coast.

In the various petty wars of the tribes of the Protectorate which have taken place, some of them within recent years, some at periods more remote, prisoners have been made and taken off to the country of the captor, who has either retained them in his own household, or perchance sold them to some person of greater wealth than his own. The prisoners have intermarried in the family and tribe into which they have been thus introduced; but, according to the laws of the country, they and their descendants would continue in all time coming to be looked upon as the slaves of the captor or purchaser. But the families to which these prisoners originally belonged have never ceased, though generations may have passed, to have their eyes upon the members whom the force of circumstances had separated from them; and now, when emancipation has given the opportunity, it is the aim everywhere of the heads of families to collect within the circle of their own authority every person connected with their family by ties of blood. Thus, a series of migrations are going on to and from different parts of the country. It may be anticipated that this will come to natural termination in the course of no very long time. Meantime it is a process of detail, and does not in its progress give rise to anything like agitation. Nor is any change of importance taking place from this cause either in the distribution of the population, viewed collectively, or on their modes of living. Whatever exodus takes place from a district is, in general, almost equally balanced by the influx of persons who return to it from other districts where they in like manner have been in servitude; and the persons who regain their former homes settle down there in similar habits to those which they followed in their house of bondage—if so it might be called, with the important distinction, that they are now free people, whilst formerly they were slaves.

Although, as I have stated, the aid of the Court is asked for in many of these cases, this is not on account of any coercive restraint exercised or attempted by the persons who are in the situation of masters. Very few, if any, well-established instances of such restraint have been shown. Aid is sought because the dependent character of the native leads him always to endeavour to lean on authority, and to have smoothed for him in anticipation any obstacle, however unlikely its occurrence. In the great bulk of these applications a little examination shows that there is no need for interposition, no real resistance being practised by the masters; the proof of this being, that when such applicants are dismissed, with a recommendation to return and report if they find the emancipation of their relations is actually opposed, not a single instance has come under my observation as yet, of any of them doing so.

4. The persons to whom I have just been alluding, are all natives of the country. There remains the much less numerous class of imported slaves. These have scarcely at all appeared before the Courts; but I have some reason to think that considerable numbers of them have availed themselves of their freedom, and left their masters. Some of them will find their way back to their own countries; others will return to their masters. Probably the larger number (but this is only a conjectural anticipation), may form communities by themselves, finding an easy subsistence by cultivation of the ground in some of the many unoccupied tracts which on every side offer so great facilities.

5. From the facts generally which have come under my observation, I have formed the opinion that a knowledge of the scheme (and making allowance for the inevitable minor inaccuracies of merely oral communications), a generally correct understanding of its scope and purport has spread rapidly and widely amongst all classes of the population, and that acquiescence is general, whilst reasons have not appeared for believing that results are taking place which will be likely to produce important inconveniences.

6. At the same time it may be well to keep in view that the effect of emancipation on the industry of the country can scarcely as yet be considered as sufficiently tested. In the culture of the oil palm (and especially in the transport of the oil from the forests to the coast), much manual labour is involved in which the servant has apparently not much of common interest with his master, and it is not impossible that some of the owners of plantations may experience difficulties from an inadequate supply of labour. I am not, however, disposed to anticipate any very serious or lasting derangements. Cultivation, though it is large in the aggregate, is not carried on by any person on a large scale. There is no likelihood of any combined movement by servants against masters. If difficulties occur, they may be expected to arise from personal rather than general causes, so that, although one employer should find himself impeded, it would not at all follow that his next neighbour should experience any difficulty. Even should the returns exhibit a considerable falling-off on the exportation of palm oil (which is, unfortunately, almost

the only industry of the Colony), I would not hastily assume it to be due to derangement of the labour market, there being so many extraneous causes besides to which fluctuations may be attributable.

In conclusion, I am inclined to consider that the time may not be far distant (although it may not, perhaps, have quite arrived) when it may become desirable to enact an Ordinance facilitating agreements of hiring and service for limited periods, and on fixed and definite conditions. Such an Ordinance, if carefully worked, through the intervention of Commandants and Magistrates (as it would require to be at first), might aid in relieving some possible cases of industrial embarrassment, and in any view would be useful in introducing to the minds of persons who have not hitherto come in contact with Europeans the idea of a limited service voluntarily entered into, yet obligatory during its continuance, and having for its object the mutual benefit of both the contracting parties.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

I have, &c.
(Signed) D. P. CHALMERS.

No. 43.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, April 9, 1875.

I HAVE received your despatch of the 5th ultimo,* forwarding a Report from Dr. Gouldsbury of the result of a Mission on which you had sent him to Eastern and Western Akim to settle certain difficulties with native Chiefs.

I have to express my entire approval of the course adopted by you, and my satisfaction at the ability and success with which it was carried into effect by Dr. Gouldsbury on this as on previous occasions.

I have, &c.
(Signed) CARNARVON.

No. 44.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, April 9, 1875.

I HAVE to acknowledge the receipt of your despatch of the 5th ultimo,† forwarding a Memorandum by Captain Sale, in which he recommends Accra as the most eligible place for the future seat of Government on the Gold Coast, and stating your own concurrence in this recommendation.

2. Various suggestions have, as you are aware, been made from time to time, in which the suitability of other places on the coast have been urged, but I see no reason to doubt the soundness of the conclusion at which you have arrived, in favour of Accra as the future seat of Government, and I have to convey to you the sanction of Her Majesty's Government for transferring thither from Cape Coast Castle, when you shall be of opinion that the proper time has arrived for the operation, the seat of the Government of the Gold Coast Colony.

3. You will of course report to me further as to the steps which should be taken for exercising a supervision over the western districts of the Colony, adverted to in the 7th paragraph of your despatch, and I shall be glad to learn whether you have in the Colony any officer whom you would consider fitted for the appointment you propose, or whether you think it advisable that an appointment should be made from England. You will also state your views as to the salary which such an officer should receive.

4. With respect to the 8th paragraph of your despatch, I approve of your having sanctioned the erection of a house at Aburi as a Sanatorium for public officers at a cost of 1,100%; and I shall be ready to consider the designs which I shall no doubt receive for carrying out such works at Accra as Captain Sale may consider necessary to provide for the proper and suitable accommodation of the Officers of Government, and for the transaction of public business.

5. I shall also wish to be informed whether there is a sufficient amount of unoccupied

* No 40.

† No. 41.

land at Accra suitable for building sites, or whether it will be necessary to purchase land on which to erect the new Government buildings. In the latter case, you have my authority to proceed at once to complete the necessary purchases, for it is hardly necessary to point out that this should be done before the decision to remove the seat of Government is made public.

6. I shall take immediate steps with the view of finding a competent engineer to replace Captain Sale, and hope to be able to announce to you by an early mail the date of his departure for the Gold Coast.

7. I do not, however, propose at present to appoint a Colonial engineer permanently, but to send out a duly-qualified person for a definite term, say a year or eighteen months. At the end of that time the construction of the more important works will probably be completed, and the terms on which an engineer should be permanently appointed will remain for consideration and decision, and it may be found to be unnecessary to have an officer possessing such high qualifications, and, consequently, so highly paid.

I have, &c.

(Signed) CARNARVON.

No. 45.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received April 13.)

My Lord,

Government House, Cape Coast, March 16, 1875.

I HAVE the honour to inform your Lordship that I left this on the 8th instant for the purpose of visiting the out-stations in the western district.

2. I proceeded by land to Elmina, Commendah, Chama, Secondee, and Dixcove, at which last I embarked on board Her Majesty's ship "Beacon," and proceeded on to Axim and Apollonia, returning here on the 14th instant.

3. Everywhere along the line of coast there were demonstrations of loyalty to the Crown, and it was gratifying in my interviews with the Chiefs at several of these stations to receive applications from them for implements for making and repairing their roads, and to hear the general desire expressed that merchants would send vessels to them that they might dispose of their oil.

4. Captain Sale accompanied me in my tour, had an opportunity of obtaining the consent of the native Chiefs to bring down wood to the mouth of the Prah and elsewhere along the coast, and in this way the cost of the material to be used in public works will be much reduced, while at the same time he explained to them the mode in which they might best construct their roads and improve upon those now in use.

5. I will only add that this short tour in the western district has convinced me of the desirability of my making periodical visits to the out-stations.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 46.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received April 13.)

My Lord,

Government House, Cape Coast, March 16, 1875.

REFERRING to your Lordship's despatch of the 19th ultimo,* I have the honour to forward copy of a Proclamation which I have issued, making known Her Majesty's gracious confirmation of the Ordinances providing for the abolition of slave-dealing and for the emancipation of persons holden in slavery.

2. I also inclose copy of a Notice which, on receipt of your Lordship's despatch relative to the Petitions I had previously transmitted, I considered it proper to publish. I may state, that in taking this course, I had not so much in view the making of any direct reply to the persons whose names appeared as signatories the Petitions—these documents, as I have already pointed out, and as your Lordship has correctly appreciated, being to so great an extent unauthentic—as to give the Community, and especially the class, to member of which I am satisfied it is no injustice to attribute the principal or almost the

* No. 4 of Command Paper [C. 1159 of 1875].

entire share in the attempt to raise agitation, an opportunity of becoming acquainted with the views which your Lordship has conveyed to me respecting the topics which had been put forward.

3. I need not assure your Lordship that it is with much satisfaction I have received this despatch, showing, as it does, your Lordship's thorough insight into the character of these Petitions, and the agency by which they have been produced, and I trust that the firmness of your Lordship's answer, and the unequivocal declaration of unwavering policy which your Lordship has authorized me to make known, will have effectually checked any further attempts—if any such were imminent—to excite a spirit of opposition, and that if, as I ventured to indicate as a possibility, in my despatch of the 5th instant,* the class of agitators might have drawn any temporary encouragement on becoming acquainted with those despatches of your Lordship in which compensation to the slave-owners was, in the initiation of the correspondence, admitted as a subject of possible discussion, all such views will now have been thoroughly and for ever dispelled.

4. I am glad to be in a position, both from the reports which I receive and the facts coming under my own knowledge, to inform your Lordship that the working of the scheme of emancipation is satisfactory. No features of a different nature to those with which your Lordship is already acquainted are at present arising. The general tranquillity of the country is not being disturbed, and no instances of crime arising out of or connected with emancipation have been reported.

I have, &c.
(Signed) GEO. C. STRAHAN

Inclosure 1 in No. 46.

Proclamation.

By his Excellency George Cumine Strahan, Captain Royal Artillery, Governor and Commander-in-chief of the Gold Coast Colony.

(L.S.) GEORGE CUMINE STRAHAN, *Captain, R.A.,*
Governor.

WHEREAS Her Majesty the Queen has been pleased to signify Her gracious confirmation and allowance of the following Ordinances, passed on the 17th day of December, 1874:—

1. An Ordinance to provide for the Abolition of Slave Dealing.
2. An Ordinance to provide for the Emancipation of persons holden in Slavery.

These are to publish and make known the said confirmation and allowance for the information of all concerned.

Given at Government House, Cape Coast, this 16th day of March, in the year of Our Lord 1875, and of Her Majesty's reign the 38th.

By Command,
(Signed) JOHN D. A. DUMARESQ,
Colonial Secretary.

God save the Queen!

Inclosure 2 in No. 46.

Government Notice.

WITH reference to certain Petitions which his Excellency the Governor received, purporting to be signed, or in most cases to be certified by the marks of Kings, Chiefs, Headmen, ladies, and others, in which it is urged that the Ordinances passed on the 17th of December last should be annulled, or alternatively that compensation should be paid to the Petitioners for losses which they allege that they have sustained or will sustain through the operation of these Ordinances, his Excellency is pleased to notify, for the information of the persons interested, that these Petitions having been duly forwarded, the reply which Her Majesty's Secretary of State has directed him to give is as follows:—
“That Her Majesty's Government having instructed the Governor, by the command of Her Majesty, to take prompt steps for the eradication of a shameful institution from the

Protectorate, Her Majesty's Government cannot for a moment listen to any arguments in favour of compromise or further delay."

The Governor is further desired to make it known that the Queen has received the Petition addressed to Her Majesty with pain and surprise; that Her Majesty again commands the Governor to advance steadily and firmly in the course upon which he has entered, and that she relies confidently upon the good-feeling of the Kings and Chiefs, and upon their cheerful consent on behalf of their people to such sacrifices as may be involved in the liberation of as many slaves and pawns as do not desire to remain in their present service.

By command of his Excellency,
(Signed) JOHN D. A. DUMARESQU, *Colonial Secretary.*

No. 47. ✓

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received April 13.)

My Lord,

Government House, Cape Coast, March 18, 1875.

IN consequence of an attempt by Enemil, King of Eastern Wassaw, to evade a compliance with my instructions, by refusing to recognize the native messenger whom I had occasion to send to him on the subject of the giving up of a woman, who, it was alleged by her husband, was being forcibly detained by the King, I considered it expedient, in the cause of order, to dispatch a force of Houssas, under Captain Moloney, 1st West India Regiment, my Private Secretary, with instructions to inquire into the matter of detention, and to punish the King by the infliction of a fine for his refusal to recognize the messenger, unless upon cause shown why he should not be so punished.

2. The report of Captain Moloney's proceedings is herewith forwarded, from which it will be seen that on his finding that the King had been guilty of disregard of established authority, a fine of 30 ounces of gold was imposed, which was paid promptly at the time named for payment.

3. I am glad to find that in Captain Moloney I have an officer at hand in whom I may rely upon carrying out missions of this nature with judgment and tact.

4. Having now, as I conceive, by the several missions which I have sent into the interior, shown the Kings, Chiefs, and people, that disregard of authority will not be allowed to pass unpunished, I shall probably have little occasion to trouble your Lordship with accounts of further missions of this nature.

5. With reference to the 15th paragraph of Captain Moloney's Report on the subject of the mining operations which are being conducted in Eastern Wassaw by four Europeans (English and American), I may inform your Lordship that one of them waited upon me soon after his arrival on the Gold Coast, when he stated his intention to place himself in communication with some of the Kings and Chiefs, with a view to obtaining certain concessions with reference to his enterprise, and requested to be informed how far the Government would be prepared to assist him.

6. I replied much in the same terms as those employed by your Lordship in a letter of May 1874, addressed to Mr. Gregson, on certain queries being put by that gentleman to your Lordship's Department respecting mining enterprise on the Gold Coast, viz., that the Crown is not the owner of the soil in the localities indicated, and was not, therefore, in a position to make grants of land or concessions for working it; that while Her Majesty's Government would be disposed to look favourably upon any well-considered plans for the introduction of capital and commercial enterprise into the Gold Coast Protectorate, and would withhold no proper or reasonable facilities to that end, it was right that I should point out that there were many obstacles to the success of such enterprises in Africa, among which the risks of climate must not be lost sight of, nor the further consideration that the country had only a short time before been unsettled and disturbed by a state of war, and that your Lordship could not then take upon yourself the responsibility of advising or encouraging mining enterprises on the Gold Coast.

7. On hearing that the four men to whom I have referred were living in Eastern Wassaw, I deemed it advisable, lest they should be considered to be invested with Governmental authority (it being difficult for the native of the interior to understand that a white man is not in some way or other acting under Government), to send to the King, informing him that these men were engaged in a private enterprise, and were there as private individuals, acting in their own interests.

8. Captain Moloney tells me that the appearance of three out of the four men was perfectly ghastly, and left him with the impression that they would never reach the Coast again.

9. I earnestly trust that no sudden or ill-considered rush of this class to the Coast will follow in the wake of the present enterprise.

I have, &c.
(Signed) GEO. C. STRAHAN.

Inclosure in No. 47.

Sir,

Cape Coast, March 17, 1875.

I HAVE the honour to report that, in compliance with your Excellency's instructions, I left Cape Coast on Monday, the 8th instant, for Eastern Wassaw, accompanied by 52 Houssas.

2. I arrived at the town of Egtapa, where Enemil, King of Eastern Wassaw, at present resides, about 3 o'clock P.M., on the 12th instant, when I sent word to the King that I wished to see him and all his chiefs that evening.

3. The King had no doubt heard of my arrival, for he obeyed the summons at once, and came to where I was, followed by all his Chiefs, who fortunately were then with him at Egtapa.

4. I then asked the King whether he had received a message (which I repeated) from your Excellency by Cudjoe Sago, Governor's messenger, relative to the complaint of one Gan Quow as to the forcible detention of his wife Fawah by Enemil in consequence of his (Gan Quow) inability to pay a fine imposed on him. The King said he had received such a message. I then called upon Cudjoe Sago to state the answer he received from Enemil, which was to the effect "that he (the King) would have nothing whatever to do with that palaver, that it was an old time palaver, and further that he would not recognize Cudjoe Sago as the Governor's messenger; that if the Governor had palaver with him, he expected to get book." This Enemil acknowledged as having said, but pleaded in extenuation that he did not know Cudjoe Sago, nor did he recognize the Governor's cane. Here the King stated a falsehood, of which I made him aware very impressively; for, when I asked him whether he had not been summoned by Cudjoe Sago, bearing the same cane, to attend at the meeting of the Kings and Chiefs which took place in November last, he answered in the affirmative.

5. Finding that the answer which Cudjoe Sago said he had received from Enemil in reply to your Excellency's message was correct, I carried out that part of your Excellency's instructions as regards the fine, and informed Enemil that for his gross disobedience in not having at once sent an answer to the Governor's message, for ignoring Cudjoe Sago as your Excellency's messenger, and further for his impertinent and insubordinate answer which he gave to the Governor's message, I was instructed to fine him 30 ounces, and that unless the amount was paid by 8 o'clock A.M. the next morning, I would put in execution your Excellency's orders.

6. Here the King expressed his sorrow for his conduct, and for what he had done, and desired me to convey to your Excellency his apologies. He also begged for a reduction of the fine. This I at once refused. *Heard him!*

7. I next requested to see the wife of the complainant Gan Quow.

8. The King informed me that she was not at Egtapa, but at a neighbouring croom, to which he would send for her.

9. As it was then getting late, I told the King I would see her at 8 o'clock next morning.

10. Punctually at 8 o'clock A.M. on the morning of the 13th instant, the fine of 30 ounces was paid by the King in presence of all his Chiefs and people.

11. King Enemil next produced the wife of the complainant Gan Quow, and on ascertaining her desire to return to her husband, I at once restored her to him.

12. Here ends the main object of the mission on which your Excellency sent me to Eastern Wassaw.

13. This palaver having been settled, I informed the King of the complaint which the King of Chamah made to your Excellency on the 9th instant, as to the detention of some of his people in Wassaw who were taken prisoners during the recent war, and of the mutual understanding which existed after the war between the different districts, that such persons were to be allowed to return to their own countries. The King said that such an understanding did exist, and that he had caused "gong gong" to be beaten to that effect after the war. He produced four Chamah people then residing at Egtapa, and on my asking

them whether they wished to return to their country, they all expressed their desire to do so. I then informed them that they were at perfect liberty to stay where they were, or go back to Chamah, should they so desire. The four persons in question selected the latter, and returned to their country with a Chamah messenger, who happened to be at Egtapa at the time. The King, before all his people, informed this same messenger that any other Chamah people who might be in Wassaw could return to their country should they so desire, and that he had sent for one Chamah woman by name Yemah, whom he would hand over to him, should she express herself as desirous to return to her country.

14. Prior to parting with the King, I informed him that I would report him to your Excellency, for the very bad state in which his roads were kept. This appeared to frighten him very much; he begged me not to report him, and that he would at once have them put in proper order. I told him, however, it was my duty to report to your Excellency the state in which I found them, not that in which they would be.

15. I may here mention that there are at Egtapa engaged in gold digging four white men who have been permitted to work there by the King. In accordance with your Excellency's wish, I took particular care to inform the King that the undertaking of these men was entirely of a private nature, and in no way recognized by the Government.

16. I also took advantage of my stay at Egtapa to visit the native gold fields, which I found very extensive, and on which there are generally at work on an average some 2,000 to 3,000 natives. These work on the gold fields but one day in the week, as a rule.

17. On my march through Chamah and Wassaw districts, peace and quietness prevailed everywhere. Cultivation of the soil and the making of palm-oil appeared to be carried on to a large extent in Chamah district.

18. As one of the good results attendant on your Excellency's interviews with the native Kings on the occasion of your recent visit to the Western districts, I may mention that in the Chamah country, on my passing through to Wassaw, I found the road in some parts very bad indeed. On my return, however, which was only six days after your Excellency's visit to that part of the Western districts, a very fine broad road, quite equal to that between Cape Coast and Elmina, had been substituted for a distance of some eight or ten miles.

19. Before closing the Report, I should like to mention that the conduct and behaviour of the Houssas were all that could be desired.

I have, &c.

(Signed) ALFRED MOLONEY, *Captain.*

His Excellency Governor Strahan, C.M.G.

No. 48.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, April 17, 1875.

I HAVE received your despatch of the 6th ultimo* transmitting Mr. Chalmers' Report on the working and results of the Slave Emancipation Scheme, which I have perused with much interest.

That part of his Report is especially worthy of notice in which Mr. Chalmers alludes to the possible difficulty of procuring the labour necessary to the maintenance of the industry of the country. It is most desirable, as well for financial as other reasons, that the industrial pursuits of the Colony should be as little interfered with as possible, and as I am informed that the natives are fully aware of the nature of a contract, I agree in Mr. Chalmers' view of the expediency of passing an Ordinance for facilitating agreements of hiring and service for limited periods and on fixed and definite conditions.

I inclose a copy of the "Master and Servant Act, 1867," which may be found of use in framing such an Ordinance, and I desire that you will give this matter your best attention.

I have, &c.

(Signed) CARNARVON.

No. 49.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir, *Downing Street, April 21, 1875.*
 I HAVE received with much satisfaction your despatch of the 16th ultimo* reporting your visit to the western districts of the Colony, and the reception you had met with there.

I agree with you in thinking it desirable that you should continue periodically to make similar tours of inspection in the various districts of the Colony.

I have, &c.
 (Signed) CARNARVON.

No. 50.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir, *Downing Street, April 23, 1875.*
 I HAVE to acknowledge the receipt of your despatch of the 18th ultimo,† reporting the result of a mission undertaken by Captain Moloney under your instructions, to punish the King of Eastern Wassaw for insubordination and disobedience.

2. I entirely approve of the policy which you adopted on this occasion, and of the manner in which you caused it to be carried into effect.

Such a policy, however, must depend for its success upon the judgment, the local knowledge, and the tact of the Governor, and while I am confident that in your hands it is not likely to fail in attaining its object, it is one to be pursued with every care and circumspection.

3. With reference to the 5th paragraph of your despatch, I shall be glad to be informed hereafter of the result of the mining enterprise which appears to have been undertaken in Wassaw.

4. I have forwarded a copy of your despatch to the Secretary of State for War, with an intimation that Captain Moloney appears to have displayed energy and judgment in the mission with which he was entrusted.

I have, &c.
 (Signed) CARNARVON.

No. 51.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir, *Downing Street, April 23, 1875.*
 I HAVE the honour to acknowledge the receipt of your despatch of the 16th ultimo,‡ forwarding copies of your Proclamation notifying Her Majesty's approval of the Ordinances for the abolition of slave-dealing and slavery, and of a notice which you had issued respecting the Petitions against those Ordinances.

I have, &c.
 (Signed) CARNARVON.

No. 52.

Colonial Office to War Office.

Sir, *Downing Street, April 23, 1875.*
 I AM directed by the Earl of Carnarvon to transmit to you, to be laid before Mr. Secretary Hardy, a copy of a despatch from the Governor of the Gold Coast, reporting the result of a mission, undertaken by his orders, by Captain Moloney, 1st West India Regiment, to punish the King of Eastern Wassaw for insubordination and disobedience.†

* No. 45.

† No. 47.

‡ No. 46.

I am to state that, in Lord Carnarvon's opinion, Captain Moloney appears to have displayed energy and judgment in the mission with which he was intrusted.

I am, &c.
(Signed) W. R. MALCOLM.

No. 53.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir, *Downing Street, April 30, 1875.*

WITH reference to the 6th paragraph of my despatch of the 9th instant,* I have now to acquaint you that I have appointed Lieutenant-Colonel Tyrrel, who has been employed for fifteen years in the Public Works Department of India, to be Colonial Engineer of the Gold Coast, in succession to Captain Sale, R.E.

2. In accordance with the intention expressed in the 7th paragraph of my despatch above-mentioned, Colonel Tyrrel's appointment is for a term of one year or eighteen months, at a salary of 1,000*l.* per annum, with travelling allowances at the rate of 2*l.* 2*s.* per diem.

3. Colonel Tyrrel is at present in Madeira, and will be instructed to proceed to Cape Coast by the mail steamer which carries this despatch, and report himself to you there.

4. The Colonial Agents have, by my authority, advanced a sum of 100*l.* to Colonel Tyrrel on account of his salary.

5. As Colonel Tyrrel's appointment is of a temporary nature, he will receive a free passage to and from the Gold Coast.

I have, &c.
(Signed) CARNARVON.

No. 54.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 1.)

My Lord, *Government House, Cape Coast, March 25, 1875.*

I HAVE the honour to transmit to your Lordship a letter from Captain Baker, Inspector-General of Police, in which he suggests a uniform for the officers of the Gold Coast Armed Police.

2. This uniform appears to me to be well suited to the nature of the service upon which officers of the force are generally engaged.

3. Captain Baker informs me that he has caused a pattern of the uniform to be sent to the Crown Agents.

4. With reference to your Lordship's despatch of the 4th of September,† in which it is suggested that the contemplated withdrawal of regular troops from the Gold Coast might, in the native mind, be thought to import the withdrawal of the Queen's direct control in native affairs; and that in this view it might be worthy of consideration whether the native police should assume in outward appearance to a greater extent than hitherto the aspect of a British military force, I would respectfully state that I do not anticipate that the withdrawal of the regular troops would be looked upon by the natives as a withdrawal of the Queen's control in their affairs. If there had been a probability in former times of such a step being so regarded, the natives have lately had proof that a firm control is being exercised in their affairs, while disregard of authority is repressed by means of a police force in remote localities where a British soldier has never been seen.

5. With reference to the introduction of scarlet into the uniform, I may here state that I am of opinion that, as scarlet becomes so easily soiled, any uniform in which it entered more largely than perhaps as a braiding, or such like, would be unsuited to the habits of the majority of the police force of this Colony, and would soon look shabby, in consequence of the exposure to weather, which from the nature of their duties they must necessarily undergo.

I have, &c.
(Signed) GEO. C. STRAHAN.

* No. 44.

† Not printed.

Inclosure 1 in No. 54.

Sir,

Cape Coast Castle, February 1, 1875.

I HAVE the honour to forward you, for the consideration of his Excellency the Governor, a uniform which I think will be adapted for the officers of the armed police, and if approved of, I propose to send to my own tailor and tell him to send a pattern of same to the Crown Agents, where all officers appointed to the force could see it before leaving England.

I have, &c.

(Signed)

A. W. BAKER, *Captain,*
Inspector-General of Police.

The Hon. the Colonial Secretary.

Inclosure 2 in No. 54.

Proposed Uniform for Officers of the Gold Coast Police.

NORFOLK jacket with moveable belt (blue flannel).

Houssa trousers (blue flannel).

Red sash (silk) waist.

White Indian helmet (with red silk puggarie).

Brown butcher boots with strap across instep (Peel's Ashantee pattern).

Elcho sword (latest improvement) with brown belt, brown revolver case, brown ammunition pouch, and case for watch.

(Signed)

A. W. BAKER, *Captain,*
Inspector-General of Police.

Cape Coast Castle, February 1, 1875.

No. 55.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 1.)

My Lord,

Government House, Cape Coast, March 26, 1875.

It has occurred to me that it may not be out of place, with reference to the forebodings of disastrous consequences to the trade and prosperity of the Colony, which appear in some of the English papers, to address your Lordship briefly upon the actual state of affairs.

2. At no time since I assumed the administration of this Government has the number of people coming on account of trade from the interior into the Protectorate by way of Prahsue been so great as at present, which, according to the latest returns, is about 900 weekly. These, however, it is right to state, are not coming to Cape Coast except in comparatively limited numbers, and hence reports may reach your Lordship that trade at Cape Coast is dull. This may be true, but it must be borne in mind that the local trade is liable to fluctuation, depending as it does in a great measure upon native caprice and upon the nature of the articles which happen for the time to be chiefly in demand; and that although trade may be on the decrease at Cape Coast, it is unmistakeably on the increase at Anamaboe and Saltpond, while the accompanying Report of the Commandant at Elmina for the week ended the 22nd instant, shows that a trade is opening up for the first time since the Ashantee invasion at that station.

3. From Accra, I continue to receive most satisfactory accounts of the peace and prosperity of the Eastern Districts.

4. Nearly five months have now passed since the scheme of emancipation was announced to the Kings and Chiefs. Public tranquillity has not been disturbed, on the contrary, I am confident that at no time in the history of the Protectorate has there been greater regard for established authority or more ready obedience to the laws than at present. The cultivation of the soil is on the increase, and the revenue receipts at Cape Coast, including remittances from the outstations, amount since the 1st of January to the present date to upwards of 20,000*l*.

I have, &c.

(Signed)

GEO. C. STRAHAN.

Inclosure in No. 55.

Sir,

St. George d'Elmina, March 24, 1875

IN forwarding my Report for the week ending the 22nd instant, I am glad to be able to state that the trade of Elmina seems to be steadily increasing; the Wassaw trade in gold dust has commenced again after a long interval, and the traders seem hopeful that it will increase. The palm oil exported amounted to over 1,000 gallons, and although no revenue has been collected during the past week, exciseable goods to the amount of 357*l.* 7*s.* 3*d.* have been landed and bonded, which will bring in a revenue of 247*l.* when taken out of bond.

Since my letter of the 16th instant, I have had the steam launch lately put into the water tried, and, as far as I can judge, it can be made use of at any time. There seems to be some alarm in the town on account of the wall on the left side of the entrance to the river having been knocked down by the sea. The Chiefs have been to me to beg me to mention to his Excellency the Governor that the town along the seaside is now open to the sea, and that a heavy sea, such as sometimes occurs in the rainy season, with a high tide, would probably do an immense deal of damage to the houses.

The people of the place are making large clearances for cultivation on the Cape Coast Road and elsewhere, and it is to be hoped that provisions will be somewhat cheaper soon. I have only to add that the sanitary condition of the town is good, and that the whole district is peaceful.

I have, &c.

(Signed)

W. F. B. PAUL, *Civil Commandant.*

The Private Secretary,

Government House, Cape Coast.

No. 56.

*Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 1.)**Government House, Cape Coast, April 2, 1875.*

(Signed)

GEO. C. STRAHAN.

Sir,

Government House, Lagos, March 26, 1875.

I HAVE the honour to report that Her Majesty's ship "Active," Commodore Sir William Hewett, and Her Majesty's ship "Encounter," Captain Bradshaw, arrived in the roadstead on the afternoon of the 27th ultimo, too late to communicate with the town.

2. On the following morning Sir William Hewett landed in the Colonial steamer "Eko," which I had sent over the bar and placed at his disposal.

3. As I wished to visit Porto Novo, the Commodore consented to accompany me, and, thinking that the appearance of white sailors would have a good moral effect, he kindly placed his gig's crew on board the "Eko," and we left Lagos on the morning of the 1st instant, proceeding by Lagoon, and arrived at Porto Novo in the afternoon. The Commodore was accompanied by Captain Bradshaw, of Her Majesty's ship "Encounter," and Dr. Fegan, Mr. Secretary Gibson, and Lieutenant Rolfe, of Her Majesty's ship "Active."

4. The Commodore and myself, accompanied by the above-named officers and escorted by the white crew, landed at Porto Novo on the morning of the 2nd instant, and had an interview with the King. I explained to him that the existence of his town as a free port injuriously affected the interests of Lagos. He appeared to understand me and said he would consult his principal men with the view of offering some solution of the evils I complained of.

5. On re-embarking the "Eko" returned as far as Badagry, and on the following day arrived at Lagos. No case of illness occurred on board the "Eko."

6. On the 5th instant the squadron sailed for the River Bonny.

I have, &c.

(Signed)

C. C. LEES.

No. 57.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 1.)

My Lord,

Government House, Cape Coast, April 5, 1875.

REFERRING to my despatch of the 3rd ultimo,* in which I stated that it was my intention to avail myself of Major Lanyon's services to obtain a report connected with Customs and other matters at certain of the leeward stations, I have now to inform your Lordship that Major Lanyon has completed this service, and received my sanction to return to England by the mail expected here on the 12th instant.

2. Although there is much departmental work for which I should be glad to have, for some time to come, the services of such an officer as Major Lanyon, I regret that Major Lanyon feels that the state of his health would not admit of his remaining much longer on the coast.

3. I cannot allow Major Lanyon to leave this Colony without expressing my high appreciation of the services rendered by him during his temporary employment on the Gold Coast.

4. His knowledge of departmental and other details, acquired during his previous service on the Gold Coast has been most useful to me, while the ability, zeal, and energy which he brought to bear on work of no ordinary difficulty, are worthy of my especial notice.

5. My relations with Major Lanyon have been of the most agreeable nature and I am personally indebted to him for his able and loyal assistance.

6. I take this opportunity of thanking your Lordship for having placed his services at my disposal.

I have, &c.

(Signed) GEORGE C. STRAHAN.

No. 58.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 1.)

My Lord,

Government House, Cape Coast, April 7, 1875.

I HAVE the honour to forward to your Lordship copy of a letter and inclosures which I have received from Commodore Sir W. Hewett on the subject of the presents awarded to King Iaa Iaa of Opobo, King George Peppel, Prince Charles Peppel, and Mr. John Jumbo, of Bonny, in recognition of services rendered by them during the Ashantee war.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure 1 in No. 58.

Sir,

"Active," at Fernando Po, March 13, 1875.

I HAVE the honour to inform you that, in accordance with the request contained in your letter of the 22nd February, I went up to Bonny on the 8th instant to deliver the presents awarded by Her Majesty's command to King Peppel and Prince Charles Peppel, of Bonny, and King Iaa Iaa of Opobo, for services rendered by them during the late Ashantee campaign.

The present for King Peppel was duly received at Lagos per "Benin."

The "Encounter" conveyed me up the river, and, with the "Foam," brought as many officers from the "Active" as could be spared to attend at the ceremony, which, in accordance with Lord Carnarvon's wish, was conducted with as much display as possible.

The presentation of the gifts to King Peppel and Mr. John Jumbo took place soon after noon, the ship's having been previously dressed with flags, and fired a salute of twenty-one guns.

King Iaa Iaa did not make his appearance, excusing himself on the plea that he could not leave his farm, some thirty miles up the river. It would seem, however, that the real reason was an unfriendly feeling towards the Bonny Chiefs.

Prince Charlie was also absent at Fernando, so I could not give him his sword till my arrival here.

Although the muster of the Chiefs on board the "Encounter" was comparatively small, the most influential in the district were amongst them; and I have no doubt but that the noise of the guns and parade of marines and small-arm men that took place made an impression upon them which will not easily be forgotten, and will have a wholesome effect throughout the neighbourhood to the benefit of foreign trade.

Suitable replies were made to my address by King Peppel and Mr. John Jumbo, and they were both anxious that I should express to you how deeply sensible they were of the honour that had been conferred upon them; and also convey to Her Majesty's Government their thanks for the gifts, which they assured me they valued most highly.

Mr. Consul Hartley was in the river, and was therefore able to be present at the proceedings.

I inclose a copy of my letter to the Consul, requesting him to deliver the present for King Iaa Iaa on the next occasion of his visiting the Bonny.

I have, &c.

(Signed) W. N. W. HEWETT, *Commodore*.

Governor Geo. C. Strahan,
Gold Coast Colony.

Inclosure 2 in No. 58.

King Peppel,

"Encounter," River Bonny, March 8, 1875.

THE object I have in visiting this river is to convey to you, on behalf of the Governor of the Gold Coast, the expression of Her Majesty Queen Victoria's high appreciation of your services during the late Ashantee war, in sending to the British Expedition the contingent of 100 Bonny men, under Prince Charlie, whose steady behaviour in the field was remarked both by the General and myself on more than occasion.

The reputation they thus gained for themselves, you will be pleased to hear, is not surpassed by any of our native allies.

I regret to find that King Iaa Iaa is unable to be here to-day, as I have a similar expression of Her Majesty's esteem to convey to him for the manner in which he also aided the expedition. I shall, however, write to him on the subject and inform him of the satisfactory conduct of his contingent of fifty Opobos, who, in proportion to their numbers, rendered equally good service with the Bonny men.

To you, King Peppel, Her Majesty has, through her Principal Secretary of State for the Colonies, sent this silver tankard in token of her regard and friendship, and I am also the bearer of a letter from Governor Strahan to you in reference to the gift.

To King Iaa Iaa Her Majesty has presented this sword, but as he is not here to receive it from me the delivery of it will be entrusted to Mr. Consul Hartley.

I have also a sword, presented by the Earl of Carnarvon to Prince Charlie, in recognition of his gallant and faithful conduct during the campaign; and Mr. John Jumbo has been similarly rewarded for his services while acting as Prince Charlie's Lieutenant.

Prince Charlie's sword will be given to him on my arrival at Fernando Po, where I learn he now is.

(Signed) W. N. W. HEWETT.

Inclosure 3 in No. 58.

Sir, "Active," at Fernando Po, March 13, 1875.

I HAVE the honour to request you will, when you next visit the Bonny, be so good as to deliver to King Iaa Iaa the sword, already in your possession, which Her Majesty has been pleased to award him in recognition of his services during the late Ashantee war, and, at the same time, hand him the inclosed letter from Governor Strahan forwarding it.

As you were present at the ceremony which took place on board the "Encounter," on the 8th instant, on the occasion of King Peppel being presented with a similar token of Her Majesty's regard, you will be able to inform King Iaa Iaa of the display that was made in honour of the event, and explain to him that I particularly regretted his absence as I wished to have told him personally of the satisfactory conduct of his contingent in the field, who, in proportion to their numbers, did equally good service with their neighbours from Bonny. I must now, however, ask you to do this for me.

I have further the honour to request that you will be so good as to acquaint Governor Strahan when you have carried out this service.

I have, &c.

Geo. Hartley, Esq.,

(Signed)

W. N. W. HEWETT, *Commodore*.

Her Majesty's Consul,

Bights of Biafra and Benin.

Inclosure 4 in No. 58.

Governor,

Grand Bonny, March 18, 1875.

YOUR letter under date of the 22nd February, conveying, on behalf of Her Majesty the Queen and her Government, their high appreciation of my services during the recent Ashantee war, with the accompanying gift, was delivered to me on the 8th instant by Commodore Sir W. Hewett.

I have, in acknowledgment, to request you to tender to Her Majesty the Queen of Great Britain, through Her Principal Secretary for the Colonies, my heartfelt thanks for the token that she has thus been pleased to bestow upon me in recognition of the services of my contingent. I need scarcely add that I shall ever prize this token of regard, not merely for its intrinsic worth, but for the friendly feeling with which it was given.

I am, &c.

(Signed) GEORGE, *King of Bonny*.

Governor Geo. C. Strahan,

Cape Coast Castle.

No. 59.

Colonial Office to War Office.

Sir,

Downing Street, May 5, 1875.

I AM directed by the Earl of Carnarvon to transmit to you, to be laid before Mr. Secretary Hardy, a copy of a despatch from the Governor of the Gold Coast, reporting the intended departure for England of Major Lanyon.*

Lord Carnarvon desires to add to the testimony borne by Governor Strahan his own high appreciation of the value of the services rendered by Major Lanyon to Her Majesty's Government and to the Colony.

I am, &c.

(Signed) R. H. MEADE.

No. 60.

Admiralty to Colonial Office.

Sir,

Admiralty, May 6, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, for the information of the Earl of Carnarvon, a copy of a letter received from Commodore Sir W. Hewett, V.C., K.C.B., Senior Officer on the West Coast of Africa, in regard to rumours of the revival of the Slave Traffic between that Coast and Cuba.

2. The Commodore also draws attention to the fact that the British jurisdiction ending at Badagry, instead of extending to Porto Novo, is highly detrimental to the revenues of Lagos

I am, &c.

(Signed) ROBERT HALL.

Inclosure in No. 60.

Sir,

"Active," at Fernando Po, March 14, 1875.

IN reply to your letter of the 15th December last, forwarding copies of a letter from the Foreign Office, dated the 11th of that month, and its inclosures, relative to rumours of

slaves being landed in Cuba from the West Coast of Africa, I have the honour to report that, after a very careful enquiry into the matter at all the places I have touched at during my recent cruize along the coast, I am unable to discover a foundation for them; and I cannot but think that, now-a-days, the legitimate commerce with this country is of so much importance that it would be scarcely worth the while of any European engaged in it to risk the penalties attached to slave dealing, notwithstanding the strong inducement that is offered by the prospect of the enormous profits that would be certain to attend a successful venture.

Again, the weekly visits of the mail steamer to all places where there is the smallest trade going on makes it highly improbable that a human cargo would be shipped and the fact kept long a secret.

Admitting, however, the possibility of attempts being made to revive the traffic, there seems to me only one way in which it could be managed successfully, and that is by means of fast steamers, able to carry sufficient coals for the double voyage, arriving on certain fixed dates at places where, according to previous arrangement, they would find cargoes ready for them; these would then be shipped without delay, and the slaver clear from the coast, before any of our cruisers could be aware that she had been in the neighbourhood.

But I am convinced no such plan as this could be carried out without the collusion of the European traders, and, as I have already endeavoured to show, legal commerce is sufficiently remunerative to prevent there being any likelihood of it. I do not fear the attempt being made, at all events, within the limits of the Bights, between which there are only two places where, at short notice, negroes could be procured in sufficient numbers to repay the speculator, viz., Whydah and Upper Benin, at both of which there is a large legitimate trade, carried on principally by British merchants; besides which we have a Treaty with the Kings of the Lower River, binding them to assist us to put down the Traffic.

If there were any good reason for suspecting Whydah, the only thing to be done would be to put the port under strict blockade, but, as such a course would, without doubt, seriously obstruct legal commerce, with a view to avoiding the necessity for its adoption, I cannot but think it highly desirable we should renew our endeavours to induce the King of Dahomey (who alone is under no obligation to us) to agree, as the other Kings on the coast have done, to forbid any export from his territory, and with such an object I would suggest that another visit be paid to him at Abomey.

During my stay at Lagos I took advantage of an opportunity that offered of the Administrator visiting the town of Porto Novo (at the head of the Lagoon) to accompany him, and hold a palaver with King Tofa on the subject of slavery; and, although he assured me that no cargoes had been run from his coast, and that he altogether discountenanced the practice, I did not fail to remind him what the consequence would be if it should be proved that he acted otherwise.

I may here remark that the fact of British jurisdiction ending at Badagry, and not extending to Porto Novo, is highly detrimental to the revenue of Lagos, the duty on rum being as low as $1\frac{1}{4}d.$ per gallon, in consequence of the facility that is afforded of landing goods at Porto Novo (the seaport), which renders it necessary to reduce the tax to a minimum in order to ensure this article of trade passing through our customs, instead of being forwarded into the country direct. Captain Lees touched upon this subject to the King, and left certain propositions for his consideration, which it would be to our mutual advantage for him to agree to, the gist of them being, that he should receive from us an annual income in lieu of his present revenue, which we should take over, and at the same time provide for the protection of his country.

In conclusion, I beg to state that I have held conversations with the Administrators of Her Majesty's Government on the various parts of the coast, as well as with the President of Liberia, and all agree with me that where foreign trade creeps in the Slave Trade must die out.

I have, &c.

(Signed)

W. N. HEWETT, *Commodore*

The Secretary to the Admiralty.

No. 61.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, May 7, 1875.

I HAVE received your despatch of the 25th of March,* and, in reply, I have to express my approval of the uniform proposed by Captain Baker for the officers of the Gold Coast armed police.

I may observe that the Colonial Agents have not yet received the pattern uniform.

I have, &c.

(Signed) CARNARVON.

No. 62.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 8.)

My Lord,

Government House, Cape Coast, April 9, 1875.

I HAVE had the honour to receive your Lordship's despatch of the 1st of March,† in which your Lordship desires to receive a report from me on the subject of a request which, it is stated by Lieutenant-Commander Walker, commanding Her Majesty's ship "Foam," in a letter which formed one of the inclosures to your Lordship's despatch, has been made by the people of Grand Popo to be admitted into the Protectorate.

As I shall be in a better position to reply to your Lordship's despatch after I shall have returned from the Leeward Stations, which I have informed your Lordship, it is my intention to visit, I will ask your Lordship to excuse my forwarding a report upon this subject until my return.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 63.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 8.)

My Lord,

Government House, Cape Coast, April 10, 1875.

THE accompanying extract from the weekly report of the Commandant of Elmina may be interesting to your Lordship as showing a prospect of an increasing trade at that station.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure in No. 63.

(Extract.)

St. George d'Elmina, April 6, 1875.

IN forwarding my weekly report, I have the honour to state, for the information of his Excellency the Governor that all has been quiet and peaceful in this district during that time.

The trade returns for the week show an increase in the export of palm oil, the amount shipped being 3,730 gallons, against 1,066 gallons in the preceding week.

The amount of duty actually collected amounted to 140*l.*, besides goods bonded which will bring in a revenue of 213*l.* 10*s.*

Some Wassaw people have been in the town selling gold, not in large quantities, but sufficient to give hopes that the traffic will soon be larger.

(Signed)

W. F. B. PAUL, *Civil Commandant.*

The Private Secretary,
Government House, Cape Coast.

No. 64.

*Colonial Office to Admiralty.**Downing Street, May 10, 1875.*

I AM directed by the Earl of Carnarvon to transmit to you, to be laid before the Lords Commissioners of the Admiralty, a copy of a despatch from the Governor of the Gold Coast forwarding a letter which he had received from Commodore Sir W. Hewett respecting the presentation of the gifts sent by Her Majesty's Government to certain native Kings and Princes in recognition of their services in the Ashantee war.*

I am to request that their Lordships will convey to Sir W. Hewett Lord Carnarvon's high appreciation of the manner in which he performed this service, and to add that the thanks of his Lordship and the Colonial Government are equally due to him for the readiness with which he undertook it.

I am, &c.
(Signed) R. H. MEADE.

No. 65.

Admiralty to Colonial Office.

Sir,

Admiralty, May 14, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for the Colonies, the following extracts from a despatch of the 14th ultimo, from Commander Dunlop, of Her Majesty's ship "Beacon," the Senior Naval Officer on the West Coast of Africa, at Accra.

"I arrived at Lagos on the 7th instant, and heard that the Egba people and the Dahomey people were fighting near Abeokuta, and consequently very little trade was doing in that direction. I have since heard this is a regular annual event.

* * * * *

"Captain Strahan, the Governor, is here, and has asked me to take him to Lagos, which I intend to do, leaving this to-morrow morning."

I am, &c.
(Signed) ROBERT HALL.

No. 66.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, May 17, 1875.

I HAVE received with much satisfaction your despatches of 26th March and of the 10th ultimo, reporting upon the increase of trade on the Gold Coast.†

I shall be glad to be furnished from time to time with brief reports from the various stations as to the progress of trade and the state of the revenue.

I have, &c.
(Signed) CARNARVON.

No. 67.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received May 27.)

My Lord,

Government House, Cape Coast, April 30, 1875.

WITH reference to my despatch of the 7th instant,* and its inclosures, on the subject of the presents awarded to King Iaa Iaa, of Opobo, King George Peppel, Prince Charles Peppei, and Mr. John Jumbo, of Bonny, I have the honour to transmit to your Lordship the accompanying letter which I have received from Consul Hartley, Fernando Po, on the same subject.

I have, &c.
(Signed) GEO. C. STRAHAN.

* No. 37.

† Nos. 34 and 42.

* No. 58.

Inclosure in No. 67.

Sir,

British Consulate, Fernando Po, April 10, 1875.

ON the occasion of Commodore Sir W. N. W. Hewett's visit to Bonny for the purpose of presenting certain presents to the Kings and Chiefs of Bonny and Opobo, he was unable to proceed to the last-named place, and therefore requested that I would deliver to King Iaa Iaa the present awarded to him. I have now the honour to inform you that I visited the Opobo last week, and handed over the sword to the King, who desired that it might be made known to Her Majesty how very highly he appreciated the recognition of his services during the Ashantee war.

I was also requested to convey to you King Iaa Iaa's thanks for your letter which accompanied the gift.

I have, &c.

(Signed) G. HARTLEY,
Her Britannic Majesty's Consul.

His Excellency the Governor of the Gold Coast.

No. 68.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 10.)

My Lord,

Government House, Cape Coast, May 10, 1875.

I HAVE the honour to transmit to your Lordship certified copies of an "Ordinance to amend the Gold Coast Emancipation Ordinance, 1874," which has been passed by the Legislative Council of this Colony, and assented to by me.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure 1 in No. 68.

No. 1, 1875.—GOLD COAST COLONY.

In the thirty-eighth year of the reign of Her Majesty Queen Victoria.

(L.S.) GEORGE CUMINE STRAHAN, *Governor.*Title. *An Ordinance to amend "The Gold Coast Emancipation Ordinance, 1874."*

Date. [May 10, 1875.]

Preamble. WHEREAS, under the terms of the 5th Section of the Gold Coast Emancipation Ordinance, 1874, doubts might arise whether the like penalties would be incurred upon acts of coercion committed against domestic slaves as upon the like acts committed against persons declared by any Ordinance to be free persons, and it is expedient that all such doubts should be removed:

Be it therefore enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows:—

Short title. I. This Ordinance may be cited as "The Gold Coast Emancipation Ordinance Amendment Ordinance."

The Emancipation Ordinance, 1874, to be construed as if certain words were omitted. II. The 5th Section of "The Gold Coast Emancipation Ordinance, 1874," shall be read and construed as if the following words therein, viz.: "declared in this or any other Ordinance of this Colony a free person," were not contained in the said Section.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and found to be a true and correct copy of the said Bill.

(Signed) ALFRED MOLONEY, *Clerk of Council.*

Inclosure 2 in No. 68.

Sir,

Cape Coast, April 27, 1875.

I HAVE the honour to forward a Draft Ordinance in amendment of the "Gold Coast Emancipation Ordinance, 1874," as suggested in the Earl of Carnarvon's despatch of the 5th ultimo.

The despatch is herewith returned.

I have, &c.

(Signed)

D. P. CHALMERS, *Queen's Advocate.*

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

No. 69.

Governor Strahan to the Earl of Carnarvon.—(Received June 10.)

My Lord,

Government House, Cape Coast, May 6, 1875.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, of the 9th ultimo,* conveying to me the sanction of Her Majestys Government for transferring, when I shall be of opinion that the proper time has arrived for the operation, the seat of the Government of the Gold Coast Colony from Cape Coast to Accra.

2. In anticipation of your Lordship's concurrence in my views on this subject, I arranged with Captain Sale during my recent visit to Accra most of the preliminary matters, and much of the detail connected with the proposed transfer. Captain Sale's Draft Report, with reference to the accommodation to be provided for the officers of the Government, and for the transaction of public business, which I had an opportunity of perusing when at Accra, will, after being amended in certain particulars, be forwarded to your Lordship in due course. I had further an opportunity of hearing from Captain Sale his views with respect to sanitary measures and water supply at Accra.

3. I inspected with him the land which it is intended to use as building sites. I may mention, with reference to the 5th paragraph of your Lordship's despatch, that I anticipate no difficulty in obtaining free of cost a sufficient amount of unoccupied land between Christiansborg and Accra, upon which to erect the whole of the new public buildings.

4. I am now considering, along with Mr. Chalmers, a Draft Ordinance to regulate the acquisition and vesting of land for the public service with the view of meeting any questions which might possibly arise as to claims upon land which may be required in this and similar cases.

5. I may mention that the Chief of Aburi, on hearing that it was my intention to erect a Government building at that station, sent me a message expressive of his readiness to assist the Government as far as lay in his power, and to place at my disposal such land as might be required.

6. When I inform your Lordship that Captain Sale is of opinion that, assuming that his designs will meet with your Lordship's approval, the transfer of the seat of Government to Accra cannot be carried out before this time next year, your Lordship will probably agree with me that the question adverted to in the 3rd paragraph of your Lordship's despatch may properly be postponed.

7. I thank your Lordship for the assurance that immediate steps will be taken to secure the services of a competent engineer, as it is most important that such an officer should be able to confer with Captain Sale before his return to England.

8. I entirely agree with your Lordship in considering that a duly qualified engineer should be appointed for a definite period—say for a year or eighteen months, after which time it may be unnecessary to have an officer possessing such high qualifications and so highly paid.

9. In the construction of the works now in contemplation, I am strongly of opinion that the most economical arrangement for the Colony is to pay for the services of a thoroughly competent engineer.

I have, &c.

(Signed)

GEO. C. STRAHAN.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 10.)

My Lord,

Government House, Cape Coast, May 6, 1875.

I HAVE the honour to transmit to your Lordship a despatch from the Administrator of Lagos, reporting that a Dahomian army appeared towards the end of March before Abbeokuta, the capital of the Egbas, and encamped about three miles from its walls.

2. There is no doubt that these hostile visits, which, as Captain Lees remarks, take place almost yearly, seriously affect the commercial interests of Lagos, inasmuch as although the Egbas can hold their own inside the walls against attacks from the Dahomians upon the town, much of the surrounding country, the produce of which supplies the Lagos markets, is yearly devastated, and a large number of the Egbas, who otherwise would be engaged in the cultivation of the soil, and in bringing produce to the coast, are kept for a considerable portion of the year inside the walls to defend their capital.

3. The position, however, of the Egbas is not one which, in my opinion, calls for sympathy or active interference (at least at present), in their behalf. During the only year when the Dahomians did not invest Abbeokuta, viz., 1874, the Egbas left home to make war, without any apparent cause, on the Porto Novians, who inflicted upon them considerable loss.

4. During my recent visit at Lagos, accounts were received there of engagements which had taken place outside the walls between the contending parties, with varying success, the Egbas however always succeeding in successfully defending the town.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure in No. 70.

Sir,

Government House, Lagos, April 14, 1875.

I HAVE the honour to report, that on the 26th ultimo, a Dahomian army, said to be under the command of the King, appeared before Abbeokuta, the capital of the Egba country, and encamped about three miles from its walls.

2. These hostile visits of the Dahomians to Abbeokuta take place almost yearly; the Egbas, although much more numerous, do not as a rule venture outside their walls to engage the enemy, who remain encamped, until the rains so swell the rivers they have to cross on their homeward march, as to warn them of the danger of further delay; they then sometimes assault the town, which is walled round, but hitherto without success; after which they return to Dahomey. I am informed that at each yearly custom at Abomey, the King takes an oath that he will reduce Abbeokuta, and shortly afterwards an army proceeds with the view to accomplish that object.

3. On the present occasion no engagement has yet taken place, although the Abbeokutans announce their intention to initiate the attack. I gather that the Dahomians have captured about 500 people in the farms and outlying districts.

4. Your Excellency is well aware how seriously these investments of Abbeokuta affect the commercial interests of Lagos, in preventing the development of the palm and cotton cultivation in that direction,—an important one in consequence of the water communication.

At the present moment no produce is coming from Abbeokuta; and many farms and a considerable district under cultivation, have been devastated.

I have, &c.

(Signed) C. C. LEES, *Administrator.*

His Excellency Governor Strahan,
&c. &c. &c.

No. 71.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 10.)

My Lord,

Government House, Cape Coast, May 15, 1875.

WITH reference to my despatch Lagos, of the 6th instant,* I have the honour to forward copy of a despatch which I have received from the Administrator of Lagos

* No. 70.

reporting that the Dahomians have retired from before Abbeokuta, towards their own country.

I have, &c.
(Signed) GEO. C. STRAHAN.

Inclosure in No. 71.

Sir,

Government House, Lagos, May 11, 1875.

REFERRING to my despatch of the 14th ultimo, I have the honour to report that the Dahomians retired from before Abbeokuta towards their own country, on the evening of the 29th of April, after having first unsuccessfully attacked the walled town of Egba, about ten miles from Abbeokuta, and said to contain about 8,000 inhabitants.

I have, &c.
(Signed) C. C. LEES, *Administrator.*

His Excellency Governor Strahan,
&c. &c. &c.

No. 72.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 24.)

My Lord,

Government House, Cape Coast, May 26, 1875.

I HAVE the honour to forward to your Lordship a despatch and inclosures from the Administrator of Lagos, by which it appears that human sacrifices have been made by the King of Porto Novo during the "Customs" which were lately held in memory of his ancestors.

2. I have no reason to doubt that the atrocities set forth in the correspondence have actually taken place; and there can be but one opinion that it is the duty of the British Government to endeavour, as far as possible, to prevent human sacrifices being made in future, more especially in the neighbourhood of our jurisdiction.

3. This, it may be said, ought to be done by making a representation to the King of Porto Novo on the subject; but, from my experience of this country I am strongly of opinion that representation, unless we are prepared to follow it up, in the event of its being ineffectual, by prompt and decided action, is not only useless, but is injurious to our prestige in the eyes of the natives.

4. I have instructed the Administrator of Lagos to inform the King of Porto Novo that such atrocities as he is reported to have committed are viewed with abhorrence by the Queen and her people, and that it will be my duty to inform Her Majesty's Government of these atrocities, with the view of effectual measures being taken to prevent a recurrence of them.

5. In the event of this representation being disregarded, I shall be prepared to adopt the necessary measures for securing obedience.

I have, &c.
(Signed) GEO. C. STRAHAN.

P.S.—I would add that, not only in a revenue point of view, as I have previously pointed out, but in the higher interests of humanity and civilization, it is desirable we should extend our influence to the territory lying between the present limits of the Gold Coast and Lagos Settlements.

G. C. S.

Inclosure 1 in No. 72.

Sir,

Government House, Lagos, May 18, 1875.

DURING your Excellency's visit at Lagos the Commandant of Badagry forwarded a letter he had received from the Reverend Mr. Pearse, who stated that he had heard that the King of Porto Novo had been engaged in making burial customs for his ancestors, and had sacrificed human victims. A copy of this letter is transmitted.

2. Your Excellency requested that Mr. Pearse should be instructed to send his
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informant to Lagos, and the Commandant, Mr. Tickel, was communicated with to that effect, and I have now the honour to transmit copies of the replies received.

I have, &c.

(Signed) C. C. LEES, *Administrator.*

His Excellency Governor Strahan,
&c. &c. &c.

Inclosure 2 in No. 72.

My dear Sir,

Badagry, April 16, 1875.

I FEEL bound to submit for your information some very unpleasant and heart-rending news received from an eye-witness, who only arrived from Porto Novo this morning.

You may have heard before this that the newly-elected King of Porto Novo has been engaged in the burial customs of his ancestors for some days since, preparatory to his coronation, and you are aware of the atrocities which are usually perpetrated by these heathen Kings and Chiefs during such heathen customs, under plea of supplying their dead with wives and servants of both sexes in the invisible world.

My informant affirmed that many lives have been already sacrificed in cold blood, and that the sight is most shocking indeed; that besides the dead bodies he had seen in the town of Porto Novo, both of men and women, who have been brutally killed every night, he found afloat on the river no less than six human corpses.

He also assured me that in broad daylight to-day five men and five women are to be publicly killed in the town of Porto Novo. Are these atrocities to be perpetrated with impunity within only fifteen or sixteen miles of British territory? And if at the commencement of this reign these evils are passed unnoticed, to what extent may not the King go after his establishment on the throne? It is my firm belief that this state of things is suffered to exist so near British possession from a mere want of due representation.

I therefore most humbly pray that you will be so kind as to furnish the Governor with the above information. Perhaps it may be in his power to prevent the continuation of such crimes, at least for the future.

I am, &c.

(Signed) SAM'L. PEARSE, *Native Minister.*

Thomas Tickel, Esq.,
Civil Commandant, &c., &c.

Inclosure 3 in No. 72.

*Civil Commandant's House, Badagry,
April 24. 1875.*

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 21st instant, wherein his Excellency Governor Strahan, R.A., instructed me to call upon Mr. Pearse to send down to Lagos his informant respecting human sacrifices in Porto Novo.

In reply to the same, I beg to inclose Mr. Pearse's reply, on my calling upon him as directed, for his Excellency's information.

The human sacrifices have been committed as stated, and is a well known fact to all in these parts, but people, especially residents of Porto Novo, are afraid of giving information, as, if such informants were brought before the King, their lives would not be safe.

Two French Catholic Priests passing this place to Lagos a few days ago, gave me the information that four persons were decapitated in their presence, and that others had been killed in cold blood for sacrifices, of which every one was cognizant in Porto Novo.

The Lagos people who returned from the Porto Novo market a few days ago, could certify to these human sacrifices having been committed either in their presence, or having been informed of the same by others.

The two first sacrifices made in the market at Porto Novo were two Aja slaves, who were decapitated and their bodies allowed to remain in the market place for two days.

Formerly, on the death of a King of Porto Novo, four of the Chiefs were decapitated, and many women as wives, and sent with him, but now they are required to buy a slave each to save themselves. These Chiefs' names are as follows: Chief of Davi, Chief So Gauh, Chief Awata Gauh, and Chief Abassa Gauh. They have now had to give three slaves each for the burial custom of three Kings which the present King has just finished.

The names of those three Kings whose custom has just been finished by Topha are Mehi, Sogee, and Mephon.

I have, &c.

(Signed)

THOMAS TICKEL,

Civil Commandant, Western District.

John Shaw, Esq.,

Acting Collector and Colonial Secretary, Lagos.

Inclosure 4 in No. 72.

My dear Sir,

Badagry, April 23, 1875.

IN reference to your letter of this date, I am truly thankful to learn that the Governor-in-chief seems desirous to investigate the truth of the recent atrocities committed at Porto Novo.

I beg to inform you that my informants upon the matter not being residents at Badagry, I cannot send them to Lagos, but I can furnish their names, as the Governor-in-chief may be pleased to command their appearance at Lagos. Besides, the barbarous acts being perpetrated in public, the facts may be gathered from resident British subjects at Porto Novo.

My first informant is Mr. Moses C. Hagan, a clerk in the employment of Señor Pedro Limo at Porto Novo. The custom had only begun a night or two before he left Porto Novo on business. He saw two decapitated bodies in the town of Porto Novo.

The second person upon whose information I felt it my duty to write you is Mr. Buckle, *alias* King John, the well-known pilot, who usually takes the steamers up and down this river. He has since left for Lagos, or returned to Porto Novo. He saw dead bodies both in the town of Porto Novo and on the river.

I am, &c.

(Signed)

SAMUEL PEARSE, *Native Minister.*

Thomas Tickel, Esq.,

&c. &c. &c.

Inclosure 5 in No. 72.

Statement of Joseph Buckle alias King John, taken this 3rd day of May, 1875.

I AM a pilot, and in the habit of taking steamers from Lagos to Porto Novo and back. While at the latter place, some fifteen or sixteen days ago, I saw at the market-place at Porto Novo (called Ojah Ommoh) some four human bodies without heads hanging on trees, which I was informed were the victims of some sacrifice made for the late King Mepon; these bodies, after being thus exhibited the whole day, were thrown into the Lagoon at night, as I saw four headless bodies in the river the next morning. Porto Novo is very unsafe now, for no one dare venture out of doors after dark. I have heard a great deal of cruelties being perpetrated at Porto Novo, but I have not seen more than what I have now related. One Moses Williams, now on board the "Diana," would be able to tell a good deal about them, if he would only speak.

I am prepared to swear to the foregoing statement, if necessary.

(Signed)

JOSEPH BUCKLE, his ✕ mark.

Inclosure 6 in No. 72.

Statement of Moses Henry Williams, referred to by Joseph Buckle.

I AM employed as clerk on board the steam-ship "Diana." Some time in the early part of March last, while at Porto Novo, a gong was rung one evening to notify that the King of Porto Novo intends to make sacrifice for the late King Mepon, so that no one should go out of doors. Some time after dark I was on shore and heard my dog barking, and on going outside (with a revolver in hand) to see what was the cause, I saw the Popo people passing with a man pinioned; they took him to the wharf (which place is visible from where I was) and cut off his head and left his body there. The next day I saw at the market-place called Ojah Ommoh, the headless bodies of two men who had been killed the same night, and their bodies otherwise brutally disfigured. I saw also the headless bodies of two women laid on the grave of the late King Mepon. On the evening of this day, the "Diana" started for the Addo River, and whilst going on board I heard

the gong rung again, and the gongman said the King will continue the custom for nine days. On the afternoon of the ninth day we returned to Porto Novo from Addo, and whilst on shore I saw a procession headed by a girl, four men, and a horse, clothed with white, the girl holding an earthen spittoon; these were taken to the fields outside the town, and there the girl, the four men, and horse were killed and burnt in a large fire made for that purpose. The next day I asked a friend of mine (a native of Porto Novo) how many persons have been killed the previous day; he said there were twenty in all. I said I only saw five; he said the remainder were the wives of the old Kings who had not kept up their widowhood faithfully; these were killed at the sacrifice, which made up the number to twenty. During this custom no canoes are allowed to enter Porto Novo from Oufo under pain of confiscation of their contents. I saw the produce of three canoes thus seized one evening at the King's wharf.

(Signed) MOSES H. WILLIAMS.

The foregoing statements were made in my presence, this 3rd day of May, 1875.

(Signed) CHAS. FORESYTHE.

No. 73.

Admiralty to Colonial Office.

Sir,

Admiralty, June 25, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to transmit, for the information of the Secretary of State for the Colonies, extracts from a letter dated 31st ultimo from the Captain of Her Majesty's ship "Encounter" at Cape Coast Castle, in regard to intelligence received by Captain Strahan as to human sacrifices having been offered up by the King of Porto Novo, which it was intended to put a stop to by coercive measures; and relative to the state of affairs on the West African coast.

2. These extracts have been forwarded for the information of the Secretary of State for Foreign Affairs.

I am, &c.

(Signed) ROBERT HALL.

Inclosure in No. 73.

Extracts from a Letter of the Senior Officer, Cape Coast Castle, dated 31st May, 1875.

I ARRIVED here to-day.

I have not had time personally to communicate with the Governor, but Commander Dunlop informs me that Captain Strahan had told him that he had heard that the King of Porto Novo had been offering up human sacrifices, and that he intended to adopt strong measures to put a stop to such inhuman practices so near British territory.

I intend to put the "Beacon" and "Ariel" at the disposal of the Governor, being ordered myself by Commander Sir W. Hewett to proceed to the Congo which he left in an unsettled state.

On this part of the coast I am glad to be able to report everything quiet.

No. 74.

Mr. M. J. Bonnat to Colonial Office.—(Received June 25.)

My Lord,

Cape Coast Castle, May 27, 1875.

I HAVE the honour to announce to your Lordship that I have happily fulfilled the first part of my programme.

The 18th of April I arrived at Cape Coast Castle, and there met the Prince J. O. Ansah, who, I am happy to say, is accompanying me to Coomassie, where I am sure his presence will be of a great value to me and have a good influence upon the decision of the Ashantee Kings and Chiefs, of whom I must obtain the sanction for the realisation of my scheme.

After having sent a message at Coomassie to announce my arrival to the King, I

proceeded to Accra, thence to Andomassee and Kpong, on the Volta, finally to Akuamu by canoe. At Akuamu I was very kindly received by the King, who promised me all the assistance that I may require from him or his people in carrying out my enterprise. I obtained from the said King six Ashantees, among those that are actually detained by him. I shall bring them with me to Coomassie to hand them to the King.

From Akuamu I came down to Adah in a native canoe, studying the numerous difficulties and impediments of the navigation of the river. So far as Akuamu, the two greatest are the rapids of Senkyi and those of Medica. Their difficulties I studied as well as the time and means at my disposal allowed.

From Adah I came to Accra by land, and on the 15th of May I was at Cape Coast again.

Here I went to report myself to his Excellency the Governor, but was excessively surprised and sorry to learn that my going to Coomassie was not looked upon favourably by his Excellency Commander Strahan, who kindly explained to me his reasons, viz., that my coming would be interpreted wrongly by the King of Ashantee, who would use it to bring back under his rule the provinces that deserted him after the late war.

I knew indeed that my arrival into Coomassie would create a certain sensation of gladness, but I do not believe that it will be used for such purpose; at all events, if so, it would not answer the purpose, unless the rebellious provinces would be entirely disposed to submit again.

I explained to his Excellency the motives that obliged me to go to Coomassie, where only I can insure the success of my enterprise, and safeguard the interests that M. de Cardi has confided into my hands. My scheme I know fully well is full of difficulties; the navigation of the Volta itself is quite enough, without having any other from the natives and inhabitants of the interior, and it is to make my way sure and have protection of a Power, in case of emergency in the upper part of the river, that I must go to Coomassie (for centuries they have held the countries where I intend to establish trade), and it would be insane for me to pursue my scheme and go up the river without explaining to them my intention and asking their consent.

His Excellency thought proper to send word to the King of Djuabin to announce to him that I was going to Ashantee on my own responsibility, and without any responsibility or assistance from the English Government. I do not yet know the influence that such message will have upon my enterprise—if it will do good or harm. At all events, that does not discourage me, for I am resolved, since the beginning, to go through any difficulties to fulfill my engagements.

After having spoken with Ashantees of either side, I found that their country is in a deplorable state that has a great and very bad consequence upon the welfare of both parties. The trade of the Gold Coast is also suffering greatly by it, for the way of the interior, the great channel of trade, is shut up. Both parties, Djuabin and Coomassie, are suffering, both are wishing for peace, which they need so much, but through pride neither of them will make the first step to come to an understanding. They look forward to the English Government for a mediator, but they look in vain.

I am starting to-morrow, 28th of May, with the best intention to do what I can for a country for which I have a very great interest. Their interest is the interest of the Colony itself, and in working for one I shall work for the other.

From Coomassie I shall let his Excellency Captain Strahan know the true state of affairs, and how I proceed, and I shall address a copy of it to your Lordship.

I remain, &c.

(Signed) M. J. BONNAT.

No. 75.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 30.)

My Lord,

Government House, Cape Coast, June 4, 1875.

IN my despatch of the 9th of April* I expressed my intention of reporting to your Lordship after my return from Lagos and the leeward stations on the subject of the request made by the people of Grand Popo to be admitted into the Protectorate.

2. I regret, however, that, as I was unable to carry out my intention to visit Grand Popo and Little Popo on my way either to or from Lagos, and as the persons upon whom I relied to obtain at Lagos accurate information were absent from that Settlement during

* No. 62.

my visit, I am not yet in a position to give any decided opinion as to how far the people of Grand Popo, in desiring to be placed under British protection, are influenced by the hope of obtaining British assistance in their quarrels with the Dahomians.

3. I should, however, be inclined to think that the Chiefs of Grand Popo are desirous to obtain British influence rather for the establishment and maintenance of order among their own people, who are notorious for their lawlessness, than from any fear of the Dahomians, who, so far as my present information goes, have not been in the habit of disturbing them beyond perhaps making an occasional requisition upon them for a supply of salt without considering it necessary to pay for it.

4. I have taken measures for obtaining further information with reference to Grand Popo, and will communicate to your Lordship the result of my enquiries.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 76.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received June 30.)

My Lord,

Government House, Cape Coast, June 5, 1875.

I HAVE to report to your Lordship that M. Bonnat, who arrived here on the 18th April, proceeded at once to the Volta with a view to discovering how far it would be possible for him to carry out his intention of exploring the Upper Volta and establishing factories on its banks. I was absent from the seat of Government when M. Bonnat arrived at Cape Coast, so it was only in the middle of last month that I saw him for the first time, when he informed me that from the information which he had received after proceeding, as I understood him, some short distance beyond Kpong, he considered it prudent to return, and that it was his intention to proceed from Cape Coast to Ashantee, where he hoped to secure such support and assistance from the several tribes as would enable him to reach Salaga and to return to the coast by the Volta.

2. M. Bonnat accordingly left this a few days ago, accompanied by a Mr. Campbell, who, it appears, joins M. Bonnat from a love of sport and adventure, and by Prince Osoo Ansah, who has been invited by the King to visit Coomassie.

3. I saw M. Bonnat on several occasions before his departure with reference to his project, and fearing that advantage might be taken by the King of Coomassie of the presence of Europeans in the capital to spread rumours that they were there to bring back the defected tribes, and as I attach the utmost importance to its being thoroughly understood that there will continue to be a strict adherence on the part of this Government to the policy of non-interference, so far as regards exercising any influence over the several tribes of Ashantee to induce them either to throw off or to return to their allegiance to Coomassie, I impressed upon M. Bonnat the importance of letting it be distinctly and widely understood that he was engaged in an exclusively private enterprise, and that neither he nor any of those who accompanied him were in any way authorized to act on behalf of this Government.

4. As I anticipated would be the case, the Juabin Ambassador, who still continues to reside at Cape Coast, no sooner heard of M. Bonnat's intention to visit Coomassie than he waited upon me with the evident desire of ascertaining what was M. Bonnat's position as regarded the Government; and, in order to prevent any misunderstanding on the subject, I explained to the Ambassador, in the presence of M. Bonnat, that although M. Bonnat had my good wishes for the success of his enterprise, which I believed he would, if successful, do good to all the tribes of the interior, he was not my representative in any way, and had no authority to act for me.

5. The Ambassador at once sent on a messenger to Juabin to inform the King of M. Bonnat's intention to visit both Coomassie and Juabin, and of what had taken place at this interview.

6. It would appear from what I have been told both by Coomassie and Juabin people visiting Cape Coast that both sides have for some time past ceased to disturb one another in any way; but it seems in no way certain that some act of provocation by members of either tribe might not at any time again raise up bitter feelings and lead to retaliation.

7. M. Bonnat has promised to communicate to me from time to time the incidents of his progress, and I will not fail to keep your Lordship informed if any matters of importance should transpire.

I have, &c.

(Signed) GEO. C. STRAHAN.

No. 77.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, July 5, 1875.

I HAVE to convey to you my approval of the action which you took in order to dispel any false impression which might have arisen in the interior, owing to the visit of M. Bonnat to Coomassie, as reported in your despatch of the 5th of June.*

I transmit to you a copy of a letter which M. Bonnat has addressed to me on the same subject.†

I have, &c.
(Signed) CARNARVON.

No. 78.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received July 23.)

My Lord,

Government House, Cape Coast, June 22, 1875.

I HAVE the honour to forward to your Lordship a scheme for the organization of the Constabulary Force of this Colony, which at my request has been drawn up by Captain Moloney, at present acting as Inspector-General,

2. In only now receiving this scheme, your Lordship will not understand that up to the present time nothing has been effected towards the organization of the Force. Steady progress has been made both as regards drill and discipline, although Captain Baker, up to the time of his departure for Natal, failed to reduce them into any regular system which could be serviceable as a basis for organization, to be, according to circumstances, amplified and modified.

3. Many difficulties have stood in the way of the organization of the Force:—

(1.) From the 25th of June up to the 6th September last, there were only two officers appointed to the Force, viz., the Inspector-General and the Paymaster; the latter was invalidated to England in July, as reported in my despatch No. 184 of that month: the Inspector-General was unavoidably absent from head-quarters up to the 27th of October, as reported in my despatch, Confidential, of 16th October last.

(2.) Out of the four officers who were sent out to join the Force in September last, one was invalidated to England a fortnight after his arrival, and another resigned after doing duty for a little over a month.

(3.) One of the officers who arrived in January last died in March following.

(4.) The Adjutant and Musketry Instructor was incapacitated from duty on account of sickness on two occasions, once from the 3rd to the 21st February, when he was invalidated for two months to Madeira; and another officer has since been invalidated in the same way.

(5.) It was found necessary to station one of the officers of the Force in the Eastern District of Lagos, to relieve the Commandant, Captain Brydon, who has proceeded to England on leave of absence.

(6.) One officer was found to be quite unsuited for service in the Force, and was invalidated to England in May last.

4. Although I have considered it right to notice the above, as accounting for what might be considered as a certain backwardness as regards the drill of the Force, I am happy to be able to report to your Lordship that as regards discipline, the conduct of the men, more particularly of the Houssas, has been most satisfactory.

5. As Captain Moloney has drawn out his Report, after consulting with myself on most of the matters treated of, it is perhaps unnecessary that I should do more than state my general concurrence in the opinions therein expressed.

6. The scheme must only be looked on as an outline, many of the details connected with the Force being wanting; but Captain Moloney has endeavoured, as far as possible, to enter into the several questions to which your Lordship refers in your despatches of 5th June and of 3rd July, 1874,‡ with reference to the Constabulary Force.

7. As to the distribution of the Force, as laid down by Captain Moloney, it need scarcely be remarked that this question must depend upon the requirements of the districts at any particular time.

8. As I am of opinion that the appointment to the Force of two steady non-commis-

* No. 76.

† No. 74.

‡ Nos. 24 and 51 of Command Paper [C. 1140 of 1875].

sioned officers of the Royal Artillery, as Instructors of Gunnery, is much to be desired, I would request that steps may be taken to secure the services of suitable men.

I have, &c,
(Signed) GEO. C. STRAHAN.

Inclosure 1 in No. 78.

*Orderly Room, Gold Coast Constabulary,
June 4, 1875.*

Sir,

IN obedience to the wish of the Governor, I have the honour now to submit for his Excellency's consideration a scheme drawn up by me for the better organization of the constabulary of the Gold Coast Colony.

I base my scheme on a force 1,000 strong, exclusive of the civil police at Lagos, to be distributed as follows:—600 Houssas and 200 Fantees at Gold Coast, and 200 Houssas at Lagos.

I inclose a state showing the present strength of the force, by which it will be seen that the present Houssa strength is under what I propose by sixty-eight men, whereas the Fantees are fifty-seven stronger. The necessary adjustment, however, with his Excellency's sanction, I intend to make gradually and as opportunities offer, by the enlistment of Houssas of good character and by the weeding of the Fantee element.

The Assistant Inspectors are at present four under the number recommended in my Report.

That part of my Report under the head of discipline has been strictly adhered to since I took command of the force, and a large number of necessary forms have been introduced.

With regard to the last part of my Report, under the head of drill, I may mention to his Excellency that musketry has commenced, and No. 1 section will soon commence the ball practice.

Since I have taken charge, three Houssas have been regularly detailed to attend for instruction as dressers at the Colonial Hospital for such time as the Colonial Surgeon may think necessary. This is done with a view of sending on detachment to outstations where no medical aid is available men of the force who can make themselves generally useful as dressers.

I have, &c.
(Signed) ALFRED MOLONEY, *Captain,*
Acting Inspector-General.

The Hon. the Colonial Secretray,
Cape Coast.

Inclosure 2 in No. 78.

Scheme for the better Organization of the future Defensive Force of the Colony, and to be called the Constabulary of the Gold Coast Colony.

Composition of the Force.

THE force is at present composed almost entirely of Houssas and Fantees, exclusive of the civil establishment now at Lagos. As yet I see no other tribe in the Gold Coast Colony the introduction of which would be an advantage to the force.

In order to carry out the Governor's views relative to the introduction of some of the Mahomedan tribes about Sierra Leone and the Gambia, such as the Mandingo or Fullah, I think a recruiting officer might be sent to both of these places with that object.

The Houssas until recently had been admitted into the force for an indefinite period consistent with their good behaviour, there being no term of enlistment as in the army.

This is more or less in accordance with the feeling and spirit of the Houssa. A Houssaman, having once gone through his recruit's drill and become a passed soldier, looks upon himself ever after as a soldier until he is incapacitated as such through wounds or ill-health, when he is discharged with a small gratuity as a rule. This system, I am of opinion, had better continue for a time; the gratuity granted in case of discharge being in proportion to the service and good behaviour of the man about to be discharged; or a

long term of enlistment be substituted, say twenty years, at the expiration of which time each man on discharge would be entitled to a gratuity on a fixed scale as under.

Fantees ought, I submit, to be enlisted for a certain term, say five years, during which they are not at liberty to leave the force, save by permission of the Governor or by dismissal. Their term of enlistment at present is in most cases for three years.

No pension system is here necessary, for vacancies are easily filled up on the discharge of men who have completed their term of enlistment.

With regard to the introduction of the Mandingo or Fullah element, I think there ought to be a fixed term of enlistment, say five years, as for the Fantees, after which those discharged would be entitled to free passages back to their country.

As a reward for good conduct in the force, I think something similar to the good-conduct pay of the army might be introduced, both as regards Houssas and Fantees, viz. :—

To every man under the rank of sergeant, after having served three years clear of any entry in the defaulter's book of the force greater than seven days' confinement to barracks		1d. a-day, and 1 badge.
After having served seven years, and having been uninterruptedly in the receipt of 1d. a-day for three years immediately preceding his claim		2d. a-day, and 2 badges.
After having served fourteen years, and having been uninterruptedly in the receipt of 2d. a-day for three years immediately preceding his claim		3d. a-day, and 3 badges.

Punishment affecting good-conduct badges to be regulated by Ordinance hereafter.

After a continuous good service extending over a period of not less than twelve years, a gratuity on discharge from unfitness for further service, or on completion of the long term of enlistment above suggested, might be granted at the following rates :—

Sergeants-Major	£
Sergeants	20
Corporals	10
Privates	8
	6

Establishment.

Officers of the force to be as follows :—

Inspector-General	1
Adjutant and Musketry Instructor	1
Paymaster and Quartermaster	1
Assistant Inspectors	10
Native Officers	4

The Constabulary of the Gold Coast Colony to be 1,000 strong, inclusive of all ranks from sergeant-majors to privates, as follows :—

Gold Coast—								
Houssas	..	..	..	..	..	..	..	600
Fantees	..	..	..	..	..	..	..	200
Lagos—								
Houssas	..	..	..	..	..	..	..	200
Total		..	..	..	..	..	..	1,000

This strength to be exclusive of the present establishment of civil police at Lagos, which is almost entirely composed of Yorubas.

Gold Coast, 600 Houssas, to be proportioned as follows—

Sergeants-Major	6
Armourer Sergeant	1
Sergeants	30
Drum-Major	1
Corporals, including 2 drummer corporals	32
Buglers	10
Privates	520
Total	600

Gold Coast, 200 Fantees—

Sergeants-Major	..	..	..	..	..	..	..	2
Sergeants	..	..	..	..	..	..	..	14
Corporals	..	..	..	..	..	..	..	14
Privates	..	..	..	..	..	..	..	170
Total	..	..	..	..	..	..	..	200

Lagos, 200 Houssas—

Sergeants-Major	..	..	..	..	..	..	..	2
Sergeants	..	..	..	..	..	..	..	10
Corporals	..	..	..	..	..	..	..	11
Drum-Major	..	..	..	..	..	..	..	1
Buglers	..	..	..	..	..	..	..	9
Privates	..	..	..	..	..	..	..	167
Total	..	..	..	..	..	..	..	200

nit of formation
ction.

The above force of 1,000 men to be divided for purposes of discipline and drill into sections of twenty strong, constituted as under:—

Sergeant	..	..	..	..	..	..	..	1
Corporal	..	..	..	..	..	..	..	1
Privates, including 1 or 2 lance corporals	..	..	..	..	..	..	..	18
Total	..	..	..	..	..	..	..	20

This division of a force, scarcely two per cent. of which understand English, into sections is, in my opinion, absolutely necessary, not only for purposes of tally, but more especially for those of drill, particularly light infantry. In a country like that of the Gold Coast Colony, in which paths about 2 feet wide represent as a rule the roads, and these leading in most cases through dense forest, a section would be the most tractable, and would represent the largest front in skirmishing which could advantageously be employed in the event of the services of the force being required on active service.

In addition, the officers of the force must for some time to come, even in an emergency, trust a great deal to the sergeants of sections, in consequence of a want of knowledge of the language.

ergeants-Major.

One sergeant-major to have the general superintendence, both on parade and in barracks, of five sections, viz., 100 men.

Each sergeant of sections to be held responsible for his section, and to be able to afford every information as regards the men of his particular section.

ums-Major

The drums-major to be held responsible for the buglers, and to be able to afford all information as regards them.

nners.

Ten per cent. of the total Houssa strength to be gunners, viz., two in every section, representing a strength of eighty gunners.

For the advancement of the men in gunnery, two European artillery sergeants to be appointed to the force at first as a temporary measure. I would suggest that they should also be employed in the orderly-room and pay office as clerks, and that, in the event of their showing themselves of service to the force, the hope of promotion to the rank of assistant-inspector may be held out to them.

mourer-
ergeant.

One armourer sergeant to be appointed to take care of the small arms of the force. He could be very easily procured from the corps of armourers. A West Indian, or, still better, a native of the West Coast of Africa would be the best appointment. He would be responsible for all the small arms of the force, and would have to make annual visits to Lagos with that view.

Clothing of the Constabulary.

ess of officers.

The dress of the officers to be supplied by themselves, in accordance with what has been already approved by the Governor, viz:—

- Norfolk jacket, with moveable belt (blue flannel).
- Houssa trousers (blue flannel).
- Red sash, silk, waist.
- White Indian helmet, with red silk puggarie.
- Brown Butcher boots, with strap across instep (Peel's Ashantee pattern).
- Elcho sword (latest improvement) with brown belt, brown revolver case, brown ammunition pouch, and case for watch.

on-commissioned
icers and men.

- Houssa.*—Each man of the force to receive yearly 2 jackets, supplied from England, of present pattern.
- 2 shirts, made locally, of serge.
- 2 trousers, ditto.
- 2 woollen sashes, supplied from England.
- 1 fez, ditto.

The issue of the above articles to take place on the 1st of April and 1st of October in each year.

There should be a triennial issue to the force of one black haversack and one water-bottle.

The cost of the above issues would be for each Houssa annually, exclusive of freight, Cost. which is provided for under the head of travelling allowance and transport :—

	£	s.	d.
2 jackets, at 3s. 6d.	0 7 0
2 shirts, at 4s. 6d.	0 9 0
2 trousers, at 4s. 6d.	0 9 0
2 sashes, at 1s. 9d.	0 3 6
1 fez, at 4s.	0 4 0
			<hr/>
			1 12 6
800 men, at 1l. 12s. 6d.	1,300 0 0
8 chevrons, 4 badges and crowns, at 7s.	2 16 0
40 " 3 " at 3s. 9d.	7 10 0
43 " 2 " at 2s. 6d.	5 7 6
100 " 1 " at 1s. 3d.	6 5 0
Difference in price of Sergeant-Majors jackets, 9s.	3 12 0
Hooks and eyes	5 0 0
Triennial charge (178l. 14s. 8d.) for water-bottles; at 2s. 5½d., haversacks, at 2s., one-third of above	59 11 7
			<hr/>
			1,390 2 1

Each man to receive annually the material for two suits in serge, the issue of which Fantees. would take place, as with the Houssas, on the 1st of April and 1st of October in each year :—

	£	s.	d.	£	s.	d.
2 Sergeants-Major—						
14 yards each, 1s. 6d.	2 2 0			
2 double four-barred chevron and crown	1 8 0			
2 crowns for cap	0 5 0			
32 yards of braid	0 8 0			
			<hr/>	4	3	0
14 Sergeants—						
12 yards each, at 1s. 6d.	12 12 0			
16 yards braid, at 3d.	2 16 0			
1 three-barred chevron each, at 3s. 9d.	2 12 6			
			<hr/>	18	0	6
14 Corporals—						
12 yards each, at 1s. 6d.	12 12 0			
9 yards braid each, at 3d.	1 11 6			
1 two-barred chevron each, at 2s. 6d.	1 15 0			
			<hr/>	15	18	6
170 privates—						
12 yards each, at 1s. 6d.	153 0 0			
9 yards braid each, at 3d.	19 2 6			
			<hr/>	172	2	6
White metal uniform buttons, &c.	10 0 0			
200 forage caps, without peaks, at 4s.	40 0 0			
			<hr/>			
Total	260 4 6			

Naval serge, both on account of its cheapness and durability, to be supplied to both Houssas and Fantees. The blue baft to be done away with altogether. On account of the nature of the duties of the force, they ought to be clothed in nothing but woollen garments.

The caps for Fantee Constabulary to be supplied annually from England.

For night duties, more especially during the rainy season, I would suggest having in store fifty either great coats or waterproof capes.

Estimated Cost.

	£	s.	d.	£	s.	d.
1 Inspector-General, 600l. and 150l. travelling allowance	750 0 0			
1 Adjutant and Musketry Instructor	400 0 0			
1 Paymaster and Quartermaster	350 0 0			
10 Assistant Inspectors, at 350l.	3,500 0 0			
1 Sub-Intendant (native officer, Lagos)	245 12 6			
3 native officers, at 4s. each, per diem	219 0 0			
			<hr/>			
Total pay of officers	5,464 12 6			
2 white Gunnery Sergeants, at 150l. each	300 0 0			
1 Armourer Sergeant, at 5s. per diem	91 5 0			

				£	s.	d.	£	s.	d.
Houssas.	Houssas—								
	8 Sergeants-Major, at 3s. per diem	..	..	..	438	0	0		
	40 Sergeants, at 1s. 6d.	..	..	..	1,095	0	0		
	2 Drum-Majors, at 2s. 6d.	..	..	..	91	5	0		
	43 Corporals, each 1s. 3d.	..	..	..	980	18	9		
	19 Buglers, at 1s.	..	..	..	346	15	0		
	687 Privates, at 1s.	..	..	..	12,037	15	0		
								14,989	13 9
	Extra pay for 80 Gunners, at 4s. per month each	..		..	192	0	0		
	„ 22 Buglers, at 4s. per month each	..		..	52	16	0		
	„ 10 good conduct badges, at 4s. per month	..		..	2	0	0		
								245	16 0
	Clothing of Houssas	..	..	..	..			1,390	2 1
Fantees.	Fantees—								
	2 Sergeants-Major, at 3s. each per diem	..	..	..	109	10	0		
	14 Sergeants, at 1s. 6d.	..	..	..	383	5	0		
	14 Corporals, at 1s. 3d.	..	..	..	319	7	6		
	170 Privates, at 1s.	..	..	..	3,102	10	0		
								3,914	12 6
	36 good-conduct badges, at 1d. each per diem	..	..	..	54	15	0		
	2 „ „ at 2d. „	..	..	..	6	1	8		
								60	16 8
	Clothing of Fantees	..	..	..	..			260	4 6
	3 Clerks, at 3s. per diem	..	..	..	164	5	0		
	3 Interpreters, at 2s. 6d. per diem	..	..	..	136	17	6		
								301	2 6
Services.	Services—								
	Repairs to arms	..	..	..	100	0	0		
	Ammunition	..	..	..	100	0	0		
	Necessaries	..	..	..	80	0	0		
	Marching money	..	..	..	200	0	0		
	Travelling and transport allowance	..	..	..	300	0	0		
	Unforeseen expenses	..	..	..	300	0	0		
								1,080	0 0
	This expenditure will be divided as follows—							28,099	5 6
	Gold Coast—								
	Houssas	..	..	..	17,897	13	10½		
	Fantees	..	..	..	4,235	13	8		
								22,133	7 6½
	Lagos—								
	One-fourth of total Houssa expenditure (viz., one-fourth of 23,863l. 11s. 10d.)	..	..	..				5,965	17 11½
								28,099	5 6

In addition to this expenditure, there might be a further one of 350*l.* for a Surgeon to the force, who would be always at head-quarters, and could make periodical visits to outstations beyond the reach of district Surgeons. He might also be available for other Colonial work.

Equipment of the Force.

Houssas.

Each man to be in possession of breech-loading rifle and bayonet, with sling, pouch-belt and pouch, waist-belt and ball bag, black haversack and water-bottle.

The leather of the belts to be black.

It would be most desirable to substitute for the long rifle and bayonet the short rifle and sword-bayonet as was used by the European regiments in the Ashantee war, 1873-74. The sword-bayonet of itself, as was found in the late war, when the troops had often to cut their way to the enemy, is a most useful weapon when engaged in the African bush. The ordinary bayonet would not be of the least use. The lightness of the short rifle itself, as compared with the long rifle, is also a strong point in its favour.

An exchange of the long for the short rifle might possibly be easily effected after the completion of the issue of the Martini-Henry to the army.

One small field gun (of bronze), similar to the steel gun used in Rait's Artillery during the Ashantee war, to accompany every five sections and one rocket trough.

Fantees.

Each man to be in possession of the short rifle and sword-bayonet, as suggested above, pouch-belt and pouch, waist-belt and ball bag. The belts, like those now in use, of buff.

For civil duties, the Fantee Constabulary to have regular police whistles, batons, and bull's-eye lanterns.

Ammunition.

The ammunition to be used by the force to be the same as that supplied by the Imperial Government for the breech-loading rifle.

It would be undesirable for some time to come to make any demand to England,

except for blank, there being such a large quantity of Snider ball and buckshot service ammunition in charge of the local control, which can be had at the following rate:—

							£	s.	d.
Buck shot, per 1,000 rounds	..	..	..	..	..	..	3	10	8
Ball,	"	"	..	..	..	..	2	18	7

15 per cent. departmental expenses being added to the above.

There ought to be a half-yearly supply of blank for recruits and musketry practice, as well as for light infantry drill. It is supplied by the War Department at 1*l.* 10*s.* per 1,000 rounds, with an addition of 15 per cent. departmental expenses. The demands for practice ammunition I would suggest would be as follows:—

						Per Annum.			
Small arm ammunition—						Rounds.			
Ball cartridges	..	..	..	..	..	30			
Blank	„	..	..	..	..	60			

In addition to the above, there would be a further demand for each recruit of—

									Rounds.
Ball cartridge	..	..	..	..	..	..	..	..	30
Blank	„	..	..	..	..	..	..	..	40

The blank corresponds with the annual proportions used in the military service for practice. The ball I have reduced, as I think that it is not necessary for the constabulary force to practice at a greater distance than 300 yards.

Demand for ammunition for the field guns could be made locally. Similarly any demands for rockets, &c.

All ammunition ought to be supplied from England in metal-lined cases.

The men of the force are only to be in possession of ball cartridge when on guards, escorts, or in detached parties in the shape of missions or expeditions.

Distribution.

The Inspector-General, Adjutant and Musketry Instructor, and Paymaster and Quartermaster to be always at head-quarters.

The Assistant-Inspectors eventually to take the place of Civil Commandants, and to be distributed as follows:—

Axim	..	..	..	..	..	..	..	..	1
Dixcove	..	..	..	..	..	..	..	..	1
Secondee	..	..	..	..	..	..	..	..	1
Elmina	..	..	..	..	..	..	..	..	1
Saltpond	..	..	..	..	..	..	..	..	1
Winnebah	..	..	..	..	..	..	..	..	1
Accra	..	..	..	..	..	..	..	..	1
Quittah	..	..	..	..	..	..	..	..	1
Lagos	..	..	..	..	..	..	..	..	2
									10

The native officers to be distributed as follows:—

Prahue	..	..	..	..	..	..	..	..	1
Addah	..	..	..	..	..	..	..	..	1
Head quarters, for visiting out-stations during rainy season	..	..	..	..	..	..	..	..	1
Lagos	..	..	..	..	..	..	..	..	1

DISTRIBUTION of Men of the Force.

Station.						Houssas.	Fantees.
Axim	..	..	..	..	..	40	10
Dixcove	..	..	..	..	..	20	10
Secondee	..	..	..	..	..	20	10
Elmina	..	..	..	..	..	60	20
Prahue	..	..	..	..	..	60	80
Mansue	..	..	..	..	..	20	
Cape Coast	..	..	..	..	..	160	
Saltpond	..	..	..	..	..	20	10
Winnebah	..	..	..	..	..	20	10
Accra	..	..	..	..	..	100	30
Addah	..	..	..	..	..	20	10
Quittah	..	..	..	..	..	60	10
Lagos	..	..	..	..	..	200	C.P.
Total	..	..	..	..	..	800	200

The Fantee detachments to be reduced along the Prah Road to one lance-corporal and two men at each place.

These to be constantly visited at uncertain times.

Discipline.

This force to be partially under military organization and discipline. The Inspector-General to be held responsible to the Governor for the discipline and interior economy of the force, with regard to which he is to be guided, as far as is practicable and consistent with the character and disposition of the members of the force, by the Queen's Regulations, until such time as regular rules for the better management of the force shall have been submitted and approved. All the routine work of the force to be carried on by the Inspector-General. No changes, diminutions, or withdrawals of detachments to take place without the authority of the Governor. The punishments awarded to men of the force are for the present to be in accordance with Ordinance, Gold Coast, No. 7, 1873. Drunkenness to be dealt with, as in the army, according to a scale of fines. The largest fine in no case exceeding what is authorized by the above-quoted Ordinance, viz., 10s.

Each man of the force to have a defaulter sheet, which will be kept in the orderly-room of the head-quarters of the force, thus forming a defaulters' book of the force similar to the regimental defaulters' book.

In the case of detachments, each Commandant will be furnished with a copy of the sheet in the defaulters' book of the force for every man of the detachment under him, in which all punishments are to be entered.

Monthly returns of all punishments awarded to be furnished by Commandants of stations, with a view to keeping the defaulters' book of the corps posted up.

Each man to be supplied with a pocket ledger somewhat similar to that issued to soldiers in the army. In this will be entered the monthly settlement of accounts of each man, any fines which may have been inflicted, any issues of clothing, name of wife, children; also in it will be recorded wounds received in action, medals received, &c. This book to be kept in the orderly-room. In the case of outstations they are to be in charge of the Civil Commandant, or non-commissioned officer in charge, who will be held responsible for their completion.

Similar printed forms to those in the regular service to be used in the Constabulary orderly-room.

The routine and parades at head-quarters to be strictly observed at outstations.

The above holds good with the Fantee part of the force. In the larger towns of the Colony, where the quiet of the place is to be observed, the town ought to be divided into a cordon of beats, which ought to be distinctly defined.

Duties.

All duties corresponding to barrack and garrison duties to be performed by the Houssas. All guards, escorts, and missions to enforce authority will be composed of Houssas.

The different forts and points of defence to be occupied by Houssas.

All duties with regard to the preservation of the peace, detection of crime, apprehension, or summoning before a magistrate persons found committing offences, the serving and executing of summonses, warrants, subpoenas, notices, criminal processes, &c., devolve on the Fantee Constabulary. They are also to aid in the protection of the revenue. In fact, all duties in connection with the Courts of Justice are to be performed by the Fantee Constabulary.

Drill.

The drill of the force ought, in my opinion, to be confined to the 1st and 2nd Parts of the Field Exercise, 1874. This embodies everything necessary for the defensive force of the Colony.

The section unit to be adhered to in the above as strictly as possible.

The force ought also to be put through an annual course of musketry by sections, in accordance with the Rifle Exercise and Musketry Instruction, 1874.

The length of range ought, I think, to be confined to 300 yards.

(Signed) ALFRED MOLONEY, *Captain,*
Acting Inspector-General.

May 20, 1875.

Houssas.

Fantees.

Inclosure 3 in No. 78.

STATE of the Strength of the Constabulary of the Gold Coast Colony on the
31st May, 1875.

Gold Coast—									
Houssas	..	..	..	..	..	..	..	..	521
Fantees	..	..	..	..	..	..	..	..	257
Lagos—									
Houssas	..	..	..	..	..	..	..	..	*211
Total strength	..	..	..	..	..	..	..	..	989

(* Exclusive of Civil Police, Lagos.)

This strength is exclusive of officers, priests, clerks, and interpreters.

(Signed)

ALFRED MOLONEY.

May 31, 1875.

Acting Inspector-General.

No. 79.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received July 23.)

My Lord,

Government House, Cape Coast, June 24, 1875.

I HAVE the honour to report to your Lordship that, in view of the judicial powers with which the Civil Commandants of Districts will be invested under the Court Ordinance which is now being drawn up by the Queen's Advocate, I have considered it advisable to change the title of Civil Commandant (which was never a very appropriate one) to that of "District Commissioner."

2. I may observe, at the same time, that the Police Force of the Colony will in future be designated "The Constabulary of the Gold Coast Colony."

I have, &c.

(Signed)

GEO. C. STRAHAN.

No. 80.

Admiralty to Colonial Office.

Sir,

Admiralty, July 23, 1875.

I AM commanded by my Lords Commissioners of the Admiralty to forward herewith, for the information of the Secretary of State for the Colonies, an extract from a despatch received from the Senior Officer on the West Coast of Africa, dated from Fernando Po, 14th June, remarking on the flourishing condition of the trade at Lagos, and reporting generally on the state of affairs at Cape Coast Castle, &c.

I am, &c.

(Signed)

ROBERT HALL.

Inclosure in No. 80.

Extracts from a Letter from the Captain of the "Encounter," dated June 14, 1875, at Fernando Po.

THE Lieutenant-Governor informed me that trade at Lagos was flourishing, and I was pleased to notice myself the number of large ships loading and unloading during my stay there.

Her Majesty's ship "Beacon" arrived at Lagos on 9th instant, having brought Mr. Dumaresq from Cape Coast Castle, to assume the duties of Administrator, during the visit of Captain Lees to England. On her way down she called at Accra and Quittah, and Commander Dunlop reports all quiet at both places.

The dispute about rum I alluded to in my last letter as having taken place at Quittah, was inquired into and settled by Mr. Dumaresq while there.

The "Beacon" was to leave Lagos on the 12th instant, and convey Captain Lees to Cape Coast Castle, where he has important duty to perform before starting for England.

Her Majesty's ship "Ariel" has been employed, in compliance with a requisition, in conveying stores from Secondee, Dixcove, and Axim, to Cape Coast Castle; she was

ordered to be at the latter place by the 12th instant. All is quiet on that part of the coast.

Mr. Hartley, the Consul, is away on duty at the Bonny; but from all I can learn, everything is quiet in the oil rivers; he is expected here at the end of the month.

No. 81.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received July 23.)

My Lord,

Government House, Cape Coast, June 30, 1875.

REFERING to my despatch of the 26th ultimo,* on the subject of human sacrifices at Porto Novo, I have the honour to transmit to your Lordship a despatch which I have just received from the Acting Administrator of Lagos, reporting the result of the action which was taken in the matter in consequence of the instructions which I addressed to Lieutenant-Governor Leës under date of the 24th ultimo.

2. Your Lordship will observe that the delivery of the letter to the King embodying the representation of this Government with reference to human sacrifices was entrusted to Mr. Marshall, Acting Chief Magistrate of Lagos.

3. Mr. Marshall's mission appears to have been satisfactorily carried out, and although it is to be expected that attempts will be made to continue those atrocities, I have every reason to believe that the action taken in this instance will have a salutary effect upon the King and his Chiefs.

4. I shall continue to watch carefully the affairs of Porto Novo.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure 1 in No. 81.

Sir,

Government House, Cape Coast, May 24, 1875.

I HAVE the honour to acknowledge the receipt of your despatch of the 18th of May, forwarding certain documents with reference to the recent "customs" held by the King of Porto Novo in memory of his ancestors.

I see no reason to doubt that human sacrifices were made on the occasion, and there can be but one opinion that it is the duty of the British Government to endeavour, as far as possible, to prevent these barbarous practices being continued, more especially in the neighbourhood of our jurisdiction.

I have therefore to request that you will inform the King of Porto Novo that the Queen of England and her people view with abhorrence the atrocities which he is reported to have committed, and that it will be my duty to inform at once Her Majesty's Government that these atrocities have taken place, with a view to effectual measures being taken to prevent their recurrence.

I am of opinion that this message to the King should be embodied in a letter from you and delivered by one or two officers of your Government, who should proceed (by the Colonial steamer "Eko" if possible) to Porto Novo, where the message should be interpreted in their presence.

You will use your discretion as to whether or not a small force of Houssas should be placed on board the "Eko" while employed on this service.

I have to request that you will forward to me without delay any report with reference to Porto Novo, from which it would appear that the representation of this Government on the subject of human sacrifices is being disregarded.

I have, &c.

(Signed) GEO. C. STRAHAN, *Governor.*

To the Administrator of Lagos.

Inclosure 2 in No. 81.

Sir,

Government House, Lagos, June 22, 1875.

In compliance with the instructions contained in your Excellency's despatch of the 24th ultimo, I dispatched on the 19th instant two of the officers of this Government

(Acting Chief Magistrate Marshall and Mr. Willoughby, Paymaster of the Houssas) and a small force of fifteen men with a letter on the subject of human sacrifices to the King of Porto Novo.

2. As the boiler of the Colonial steamer "Eko" proved to be in a leaky condition, I was obliged to charter a small steamer, the "Ekuro," recently from England, for the service.

3. The "Ekuro" returned late last evening, and your Excellency will be glad to find, from the accompanying copy of Mr. Marshall's Report, that he was well received, and that the King has promised that human sacrifices shall never again be made at Porto Novo.

4. It is, however, more than probable that this promise will not be strictly adhered to, and in anticipation of its being broken, I shall endeavour to be in a position to furnish your Excellency with early information on the subject.

5. I inclose a copy of my instructions to Mr. Marshall on the main object of his mission, as well as with reference to the cases of alleged ill-treatment of the British subjects referred to in the annexed copies of two Petitions.

6. In the case of Joseph J. Davies, a native of Sierra Leone, the King volunteered to release him at once, but explained that he had made himself very obnoxious by his mischievous conduct.

7. In the other case, that of Sumann and his wife Orjah, natives of Lagos, the King assured Mr. Marshall that he knew nothing of their imprisonment, but that he would inquire into the circumstances and acquaint me of the result.

8. I have not yet heard from the King, but yesterday Sumann and his wife attended at Government House to inform me of their release.

I have, &c.

(Signed) JOHN D. A. DUMARESQ,
Acting Administrator.

His Excellency Governor Strahan.

Inclosure 3 in No. 81.

King,

Government House, Lagos, June 17, 1875.

IT has been represented to the Governor and Commander-in-chief that human sacrifices were made at the recent "Customs" held at Porto Novo in memory of your ancestors, and his Excellency has instructed me to inform you that these barbarous practices are viewed with abhorrence by the Queen of England and her people, and that it will be his Excellency's duty at once to bring the atrocities which you are reported to have committed on the occasion in question under the notice of Her Majesty's Government, with a view to effectual measures being taken to prevent their recurrence.

The Acting Chief Magistrate of Lagos will be the bearer of this letter, and he will be accompanied by an interpreter, who has been instructed carefully and correctly to explain its contents to you.

(Signed) JOHN D. A. DUMARESQ,
Acting Administrator.

To the King of Porto Novo.

Inclosure 4 in No. 81.

Sir,

Government House, Lagos, June 18, 1875.

IN accordance with the arrangement made by Lieutenant-Governor Lees, I have the honour to request that you will hold yourself in readiness to leave this to-morrow morning in the steamer "Ekuro" on a mission to the King of Porto Novo.

You will be accompanied by an interpreter, Mr. Abraham C. Willoughby, Sub-Intendant and Paymaster of the Houssas, who has been instructed to explain carefully and correctly, in your presence, the contents of the inclosed letter to the King.

I am of opinion that you should confine yourself to the delivery of the letter, and the receipt of the King's reply; but should he enter into any discussion on the subject, it will, of course, be your duty, while exercising the utmost caution, firmly to impress upon him that human sacrifices must cease at Porto Novo.

When this matter has been disposed of, I shall be glad if you will bring under the King's notice the following cases of alleged ill-treatment of the British subjects referred to in the inclosed copies of two petitions recently addressed to me; and at the same time

request him to furnish you with the grounds of their imprisonment at Porto Novo for the information of Her Majesty's Government.

If, after inquiry, it should appear to you, from your experience in judicial matters, that the prisoners are unjustly detained or cruelly treated, you will point this out to the King, and inform him that he will be held personally responsible for their safety.

I annex a copy of my letter to the King for your information.

I have, &c.

(Signed)

J. D. A. DUMARESQ,

Acting Administrator.

His Honour James Marshall, Esq.,
Acting Chief Magistrate, Lagos.

Inclosure 5 in No. 81.

Sir,

Lagos, June 21, 1875.

I HAVE the honour to report that, in accordance with your Excellency's instructions, I proceeded in Messrs. Dunkley's steamship "Ekuro" to Porto Novo on Saturday, but, as the vessel was not available until 2 o'clock, I did not arrive until it was too late to communicate with the King.

Yesterday morning Mr. Willoughby, who accompanied me as interpreter, went to the King and asked for an early interview, as it was important I should return as soon as possible. The King made no difficulty, and fixed 10 o'clock.

Shortly before that hour I proceeded to the King's house, accompanied by Mr. Willoughby and a guard of Houssas, and also by Mr. Hutchinson, agent for Mr. Dunkley, who has been present at interviews of a similar kind with the former King, and to whom I am much indebted, both for a most comfortable voyage and for his advice and comments during the proceedings.

When admitted to the presence of the King and a number of his chief men, after some usual formalities, I at once told the King that I was the bearer of an important letter from the Acting Administrator of Lagos, which I would open and read to him.

The letter was read by me, and translated carefully and in sentences, and, on presenting it to the King I said I hoped he fully understood it.

After a short conversation with his interpreter and others about him, he said that it was true there had been a sacrifice, but that the British Government had been wrongly informed on the subject; but, he asked, if a man among us took the King's wife, what would be done with him, adding that he loved his people and would never put any of them to death; but that, when anyone committed a crime, and his people called upon him to kill that person, he was bound to do so. I replied that I expected that answer, as it was the one usually given to remonstrances on this subject, and I had heard exactly the same excuse given by the Ashantee messengers after the war.

The King then repeated that we had been misinformed, and that, if I would return at another time, he would give me the true account. I said this was impossible, as I had to leave immediately. He then said the man who was killed was a criminal who deserved death. I replied that it was perfectly well known that it was not one person only who was sacrificed, but many; and that they were not criminals, but slaves; that sacrifices of this kind were common in Africa, and that the British Government was determined to put an end to them wherever it had the power to do so. I also reminded him that, so long ago as 1852, a Treaty was made between the then King of Porto Novo and the British Government which abolished the custom of human sacrifices, and that I was not sent to argue the point, but to tell him plainly and positively that human sacrifices must cease. He replied he knew that Treaties to this effect had been made, and no longer made any denial that sacrifices had taken place, and said that they should be put an end to. I again impressed upon him that this was a most serious message, and that human sacrifices must cease. In the end he clearly and distinctly promised that we should never again hear of such things happening.

This King has only lately come into power, and is not yet possessed of the full authority of a King. From what I saw and heard of him, I think he will be quite willing to keep his word, and to place his town and Government on a better footing altogether than it was during the time of the late King, who was a bitter enemy of his, and caused him to fly for protection to Governor Glover, which gave him an opportunity of learning something of civilization; but it is very difficult and dangerous for these native Kings to break through old customs, however barbarous, especially when they are connected with Fetish, as is the case with these sacrifices.

Having entirely and finally disposed of this matter, which was the main object of my

visit, I informed the King it was your Excellency's wish that I should use the opportunity of this visit to bring a few other matters before him. I then told him of the complaints brought by the friends of J. J. Davies, first assuring him that if Lagos people broke his laws and disturbed the place, he had a perfect right to punish them, and that, in this case, all I asked for was an explanation of the circumstance; and that it was the duty of my office not to form an opinion on a matter until I had heard both sides.

The King expressed himself pleased at what I said, and then told me that Davies had taken another man's wife. I replied, that I understood this had taken place in the time of the late King, and that he had already been punished for it. The King acknowledged this, but said Davies was a most troublesome man in the place, and did much mischief with his tongue, especially in speaking against him, and it was on this account he had put him in prison.

I said this might be quite true, but that, at the same time, there should be no cruelty exercised upon prisoners which endangered their health or lives. He acknowledged this; but both he and his people strongly denied the truth of the allegations of cruelty made in the petition, and which I read to them. I also read to them the fine which was stated in the petition to have been laid upon Davies, which raised a burst of laughter; and the King quaintly said, that if Davies was himself sold in the market place he would not bring anything so much as that.

I did not press the case further, being well aware that it might be true that Davies was a troublesome person; but the King voluntarily promised to release him that day. The information I gathered about this case fully corroborated the King's statement, and I am inclined to think that Davies only met with his desert. I was further informed by a European merchant of the place that, when Davies was put in prison, the King sent for the Europeans of Porto Novo and informed them of the matter.

I then told the King of the case of Sumann and Orjah, alleged to have been imprisoned by a son of the late King, but whose name was not known. I introduced the subject by dwelling upon the importance of the traders of Lagos and Porto Novo having mutual protection, reminding the King of the severe sentence I had lately passed upon two men, one of them a brother of King Docemo, of Lagos, who had been found guilty of robbing Porto Novo canoes in British territory. The King cordially agreed with all I said, but assured me he knew nothing of the matter I had told him of; that no one had any right to imprison without his sanction, and that he would make immediate inquiries into the matter, and let me know the result if I remained long enough. I said I could not remain, but entirely trusted his word, and felt sure he would make the inquiry. He said he would do so, and inform your Excellency of the result.

The King spoke about the proper administration of justice in a manner which showed he knows what is right; and, before leaving, he said we had spoken together like two brothers who were of one mind. I replied that what he said was true, and that I hoped we should both prove by our deeds that our words were true, and that this interview might lead to increase of confidence and good feeling between the British Government and Porto Novo. There was a hearty and general response of agreement to what I said, and I left amidst manifestations of great satisfaction and cordiality on the part of the King and his people.

The general impression left upon my mind by the interview, and by what I heard afterwards, is that the King, especially when fully established in his power, will be desirous to rule in a manner which will obtain for him the support and countenance of the British Government.

By the King granting me this early interview, I was able to return the same day, and arrived in Lagos last night.

I received the greatest assistance from Mr. Willoughby in carrying out your Excellency's instructions, and wish also to report the excellent conduct of the Houssas who were sent with me.

The attention I received from Mr. Hutchinson on board the steamer belonging to his firm I have already alluded to.

I have, &c.

(Signed)

JAMES MARSHALL, *Chief Magistrate and Judicial Assessor of the Gold Coast, Acting Chief Magistrate of Lagos.*

To his Excellency J. D'Auvergne Dumaresq, Esq.,
Acting Administrator.

Inclosure 6 in No. 81.

Sir,

Civil Commandant's House, Badagry, June 15, 1875.

I HAVE the honour to forward inclosed, a petition addressed to his Excellency Captain C. C. Lees, Lieutenant-Governor, &c., &c., &c., Lagos.

This petition was sent under cover to me, dated King's Prison House, Porte Novo, 12th June, 1875, and begging that I would forward the same as early as possible, as any delay might cause the petitioner his life.

I have, &c.

(Signed)

THOMAS TICKEL,

Civil Commandant, Western District.

John Shaw, Esq.,

Acting Collector and Colonial Secretary,
Lagos.

Inclosure 7 in No. 81.

Your Excellency,

King's Prison House, Porto Novo, June 12, 1875.

THE humble Petition of your Petitioner sheweth—

That your Petitioner is a British subject, native of Sierra Leone.

That your Petitioner came up here (Porto Novo) in 1872, for the purpose of employing himself as a clerk, and was since then living here under that profession.

That a gang of women belonging to the King infested the house where your Petitioner was living (on the 9th instant), under a charge of having been offended by a certain woman, native of this, who was then living with your Petitioner; that these women took advantage to infest the house on account of certain goods lying in the house, and belonging to one Mr. H. A. Caulerik, who had lately arrived from Lagos.

That these goods, with several other little things, were plundered by these women after your Petitioner had indemnified them with two cases gin, two pieces cloth, and has sent out the native woman to them.

That at the request of the King your Petitioner went with Mr. Caulerik to give evidence respecting the quantity of goods plundered, which were returned to Mr. Caulerik, with the exception of two pieces, and other little things.

That, in order to cover the wrong done, the King ordered your Petitioner to be seized, and now most barbarously put in chains by the neck, which pass to the fetters on his feet, and fastened to the wall of the dungeon, until your Petitioner shall have paid a fine of two slaves, two puncheons rum, twenty cases gin, twenty cases wine, forty pieces cloth, and forty bags cowries, under a charge of having aided a female slave the property of one of the favourites of the present King, in her attempt to run away to Lagos in 1873.

That your Petitioner was innocently and most barbarously put in chains in 1873 as afore described, for forty-one days by the late King Mesi, under this very charge, ere your Petitioner was released by the kind entreaties of Mr. J. D. E. Z. Macaulay, now in Lagos, and other friends living here, and by the liberality of Mr. W. A. Thompson, of Lagos, who paid the fine, consisting of goods and cowries, amounting to the eighty heads of cowries, through Mr. M. Johnson, when your Petitioner was about to die through pain, suffocation, and starvation.

That your Petitioner is now in doubt as to whether he will survive the present evil treatment for so long a time as thirty days.

That the free native woman who had given the offence of the 9th instant is now set at liberty by the King as being his lawful subject.

That there were several cruel and inhuman acts (far superior to mine by nature) committed here daily, which people who are not in the position of leaving the place or who are afraid to meddle with political affairs, will not attempt to put in writing, for fear that it will not be fully handed by the British Government in Lagos, through which the informant will not be safe in the hands of the natives.

That your Petitioner, with other British subjects who are engaged in lawful trade here, and will not be safe in the hands of the natives here without Her Britannic Majesty's shadow to protect them, and that circumstances and position in life will not allow them and your Petitioner to live only within the boundaries of Lagos.

That your Petitioner craves most humbly and earnestly your Excellency's interference to his case as early as possible, as the delaying of your Excellency's interference will prove fatal to your petitioner, his present position being more miserable and pitiable than to be described.

That your Petitioner hopes and believes that your Excellency will be moved by pity

and kind feelings to use your influence and best endeavours, in order that your Petitioner may be rescued from these wretched chains.

(Signed)

JOSEPH J. DAVIES.

His Excellency Captain C. C. Lees,
Lieutenant-Governor, Lagos.

Inclosure 8 in No. 81.

Sir,

Lagos, June 18, 1875.

WE, the Undersigned, Ono and Bamgbose, beg most respectfully to inform your Excellency that we are native traders of Lagos, and consequently British subjects, and been in the habit of going to Porto Novo with goods from Lagos for the purpose of trade.

Twenty-eight days ago we left Lagos and went to Porto Novo, accompanied by a man named Sumann, trader, and his wife named Orjah, both British subjects of Lagos. We all took cowries with us to buy palm kernels. On reaching Porto Novo we lodge in a man's house named Sagara, a slave of the King of Porto Novo, and we bought palm kernels, and put in his yard. We bought 28 bags palm kernels, and had 18 heads cowries (1*l.* 2*s.* 6*d.*) left in Sagara's house.

On the third day after our arrival in Porto Novo, we make ready to start for Lagos, and began to convey the bags kernels from Sagara's premises to the canoe lying at the wharf. We put twenty-six bags kernels in the canoe, and when we went to take the remaining two bags kernels, a woman commonly called Aiku claimed to be the wife of a King's son, met Sumann's wife Orjah by Sagara's gate, and against her with a pepper or grindstone that Aiku had on hand (Orjah carrying a bag of kernels on her head at the time), and Orjah turned round and said to Aiku, "you against me," and Aiku replied "what business had Orjah to ask her; don't Orjah know that she is Aiku, *alias* a Prince's wife?" So we said to Aiku, "be patient, and don't angry." Aiku took no heed to what we said, and she called out for the other Aikus, *alias* Princes' wives, and ten of them came and beat Orjah with their hands, and took her away against her will to a Prince's house (whose name we don't know), and there put her in irons. Sumann begged the women, *alias* Aikus, to release his wife—they refused; they caught himself and put him in irons.

After this, we both went to Ordunsi, a son of the late ex-King Kosako, of Lagos, and ask his assistance. He went with us to the Prince's house, and begged the Prince or King's son, and he refused to release Sumann and his wife Orjah. The Prince spoke through an interpreter in the Popo language.

The Prince said that had it been a Porto Novo man's child that quarrelled with a Prince's wife, he would surely be put to death; if a slave of Porto Novo, he would be sold to another country, but as Sumann and Orjah his wife are Lagosians, we must come and buy them from him; so we told him in reply that we were unable to buy them, nor will we buy them, and that we shall go and tell our Governor of Lagos. The Prince said all right. We then started for Lagos without Sumann and Orjah, and arrived here on Sunday night, the 13th instant, with 26 bags palm kernels, leaving 2 bags kernels in Sagara's house.

We told Sagara to give the 18 heads cowries to Sumann and Orjah his wife for their maintenance whilst in prison.

We did not apply to the King of Porto Novo, nor do we know whether he knew or heard anything about it.

Hoping that your Excellency will take the matter into your serious consideration, and aid us to get Sumann and his wife Orjah released from iron and unjust punishment,

We remain, &c.

(Signed)

ONO, his ✕ mark.

BAMGBOSE, his ✕ mark.

Written at their request and witness to marks:

(Signed)

JOHN A. PAYNE.

His Excellency John D'A. Dumaesq.,
Acting Administrator.

The Earl of Carnarvon to Governor Strahan, C.M.G.

Sir,

Downing Street, July 30, 1875.

IN reply to your despatch of 24th ultimo,* I have to convey to you my approval of your having changed the title of Civil Commandant to that of "District Commissioner," and of your proposal that the police force of the Colony should be in future designated "The Constabulary of the Gold Coast Colony."

I have, &c.

(Signed) CARNARVON.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received August 4)

My Lord,

Government House, Cape Coast, July 10, 1875.

I HAVE the honour to transmit to your Lordship copies of three letters from Captain Williams, District Commissioner of Quittah, reporting a breach of the peace committed by the people of Atoko, a village near the coast of the Awhoonah country, recently occupied as a revenue post, which resulted in the police detachment stationed there being assaulted and overpowered, and obliged, as they considered, to return to their head-quarters at Quittah.

2. The aspect given to the affair by Captain Williams' Reports appeared so serious that I considered it advisable to request Mr. Chalmers and Dr. Gouldsbury to proceed to Atoko in Her Majesty's ship "Ariel," with a force of Houssa police, for the purpose of holding an inquiry into the cause and nature of the disturbance, and of taking such steps in the matter as might, after inquiry, seem to these officers desirable.

3. I append copies of the letters which I addressed to Lieutenant-Commander Churchill, commanding Her Majesty's ship "Ariel," Mr. Chalmers, and Dr. Gouldsbury.

4. I further transmit a Report by Mr. Chalmers, from which your Lordship will perceive that the disturbance had originated in a personal and transitory disagreement, and was not due to any feeling inimical to English rule, and was finally settled by the infliction of a fine amounting to 30*l*. I must, however, express my regret that the ringleaders of the disturbance more not arrested, and were severely dealt with. I shall take the first opportunity of visiting personally the people of Atoko.

5. I cannot consider Captain Williams' behaviour in this matter to have been otherwise than censurable in his not having, upon the police detachment coming into Quittah, proceeded at once to Atoko (which is only about twenty miles distant from Quittah), and inquired personally into the causes of the disturbance, so as to have furnished me with such a Report as would have enabled me to have determined as to the action which ought to be taken; instead of sending up suggestions of measures of a character for which, so far as Captain Williams' information went, there existed no necessity, and which the result of the inquiry proves would have been of a seriously erroneous policy.

6. I am glad, on the other hand, to find from the Report of Mr. Chalmers, with respect to the general course of the administration of justice by Captain Williams at Quittah, as to which I had considerable misgivings, and directed Mr. Chalmers to make inquiries, that it is, in its main features, not unsatisfactory.

7. I have thought it right to inform your Lordship on this matter, in case erroneous accounts of it should reach your Lordship through other channels.

8. I may here mention, with reference to your Lordship's despatch of the 13th of January,† that Captain Williams was duly cautioned in terms of the instruction conveyed in the 2nd paragraph of your Lordship's despatch.

9. It is, perhaps, only just to Captain Williams that I should add, with reference to those portions of Lieutenant-Commander Churchill's Report of 28th December, 1874, which appear to imply that Captain Williams had made suggestions of precipitate action of a hostile nature against the Atoko people, that when I questioned Lieutenant-Commander Churchill on the subject, he stated to me that his mind had been, at the time, so much preoccupied in consequence of the loss of a boat and some of his crew, that he had difficulty in stating with precision what the propositions were which had been made by Captain Williams, and would not undertake to say positively that they involved measures of the character to which I have alluded.

* No. 79.

† Not printed.

10. The explanation which I received from Captain Williams as to his not reporting to Lieutenant-Commander Walker the loss of the boat and crew referred to absolved, in my opinion, Captain Williams from any neglect in the matter.

I have, &c.
(Signed) GEO. C. STRAHAN.

Inclosure 1 in No. 83.

Sir,

Quitta Fort, June 17, 1875, 9 P.M.

I REGRET to have to report, for the information of his Excellency the Governor, that notwithstanding the warnings given to the people of Atoko by myself and Captain Baker, they have thought proper without apparently (and as far as I am able to ascertain up to the present moment) cause attacked the Atoko detachment of Houssas in the camp, beaten severely and wounded five constables and one sergeant and also the landing waiter, Mr. Johnson, on the 15th instant. One constable has had his arm broken by them, and three severely wounded on the head with sticks; the others not so seriously.

I have further to report that on the 16th instant they intimidated the Houssas, which caused them to leave Atoko for Quitta without my orders.

I have ordered a fresh detachment immediately and peaceably to reoccupy the town.*

I have the honour to wait his Excellency's instructions, hoping that due and full support will be given to me and the most severe chastisement inflicted on the people of Atoko.

I have, &c.
(Signed) H. A. WILLIAMS, *Captain,*
District Commissioner.

The Hon. the Colonial Secretary,
Cape Coast.

Inclosure 2 in No. 83.

Sir,

Quitta Fort, June 17, 1875, 9 P.M.

I HAVE the honour to report, for his Excellency's consideration, that it is my opinion that if the act of aggression committed on the Houssa police by the people of Atoko is not immediately visited by his Excellency with the severest measures, that the people of this district generally will take courage and may offer serious resistance to the Government; therefore the opposition now shown cannot be too speedily crushed.

I have, &c.
(Signed) H. A. WILLIAMS, *Captain,*
District Commissioner.

The Hon. the Colonial Secretary,
Cape Coast.

Inclosure 3 in No. 83.

Sir,

Quitta Fort, June 17, 1875.

I HAVE the honour to state, should his Excellency contemplate taking serious measures with the Atoko people, the ground around Atoko is indefensible by the people, being free, or almost entirely free, from bush, both on the sides covered by the sea and the lagoon, and also on the east and west sides, and without any trees which could afford shelter to fire from. The town is similarly situated to Quittah, and therefore very easy of approach, and no very serious resistance could be offered.

I have, &c.
(Signed) H. A. WILLIAMS, *Captain,*
District Commissioner.

The Hon. the Colonial Secretary,
Cape Coast.

Inclosure 4 in No. 83.

Sir,

Government House, Cape Coast, June 22, 1875.

WITH reference to our conversation this afternoon, and to the papers which I handed you for perusal from Captain Williams, District Commissioner at Quittah, on the subject

* Of 11 men and 1 sergeant.

of certain disturbances reported to have taken place at Atoko, I shall be obliged if you will make arrangements for proceeding to Atoko early to-morrow morning, giving passage to Mr. Chalmers, Acting Chief Magistrate.

It is my intention to appoint this officer and Dr. Gouldsbury, Acting District Commissioner at Accra, to inquire into the cause of these disturbances, and to take such steps in the matter as may seem to them, on inquiry, to be advisable.

Although I anticipate that there will be no necessity for making use of an armed force, I have given orders, as a precautionary measure, for the embarkation of forty one Houssas on board the "Ariel," who, on your arrival at Accra, will be placed under the orders of Dr. Gouldsbury, and will be available in such manner or for such purposes as he and Mr. Chalmers may consider desirable.

After the necessary inquiries have been completed at Atoko, I should be obliged by your going on to Quittah, where your movements would necessarily depend upon what may be determined after consulting with Mr. Chalmers and Dr. Gouldsbury.

I have, &c.

(Signed)

GEO. C. STRAHAN, *Governor.*

Lieutenant-Commander Churchill, R.N.,
Her Majesty's ship "Ariel."

Inclosure 5 in No. 83.

Sir,

Government House, Cape Coast, June 22, 1875.

WITH reference to the papers which I handed to you this morning for perusal, on the subject of certain disturbances reported to have taken place at Atoko, I have to request that you will be good enough to proceed to that Settlement for the purpose, in conjunction with Dr. Gouldsbury, who will join you at Accra, of holding an inquiry into the cause and nature of these disturbances, and of taking such steps in the matter as may, after inquiry, seem to you to be advisable.

You will observe, from the accompanying letter which I have addressed to Lieutenant-Commander Churchill, R.N., that in the event of an armed force being required for the purpose of arresting such persons as may have been guilty of an assault on the police, such a force will be available; but I think it probable that the authority of the Chiefs will secure the same object without the intervention of an armed force.

On reaching Quittah, I should be obliged by your making inquiries into the circumstances under which a sentence of flogging is reported to have been passed by Captain Williams upon a native of the district; and by your furnishing me generally with such information as you can obtain upon the manner in which the law has recently been administered by Captain Williams.

I have, &c.

(Signed)

GEO. C. STRAHAN, *Governor.*

His Honour D. P. Chalmers, Esq.,
&c. &c. &c.

Inclosure 6 in No. 83.

Sir,

Government House, Cape Court, June 22, 1875.

WITH reference to the accompanying letter which I have addressed to Mr. Chalmers, I shall be obliged by your proceeding at once on receipt of this on board Her Majesty's ship "Ariel," which will call for you at Accra for the purpose of inquiring, in conjunction with Mr. Chalmers, into the cause and nature of the disturbances which are reported in the accompanying papers to have taken place at that Station.

A force of forty-one houssas has been placed on board the "Ariel," and will be under your command and available in such manner and for such purposes as you may consider advisable.

Although I am without any reliable information as to the state of affairs at Atoko upon which to base definite information, I feel that I may rely upon you to act in this matter with your usual judgment and discretion.

I have, &c.

(Signed)

GEO. C. STRAHAN, *Governor.*

Dr. Gouldsbury,
&c. &c. &c.

Inclosure 7 in No. 83.

Sir,

Cape Coast, July 5, 1875.

I HAVE the honour to report that, in compliance with the instruction conveyed by your Excellency's letter of the 22nd ultimo, I proceeded at half-past 6 A.M. by Her Majesty's ship "Ariel" to Accra, which was reached on the afternoon of the same day. The accidental loss of an anchor occasioned a delay of forty-eight hours at this Station. In recovering the anchor I availed myself of the opportunity of going on shore and observing the condition of the town, and am glad to be able to state that a most marked improvement has taken place from the measures recently adopted in the abatement of nuisances which formerly used to prevail here to a great extent.

2. Having been joined by Dr. Gouldsbury at Accra, we proceeded by the "Ariel" on the afternoon of the 25th, and were off the position of Atoko next day and landed in two surf boats with twenty-seven of the houssas and an interpreter.

3. No further portion of the force was landed, in consequence not only of the difficulty and delay which would thereby have been occasioned, the vessel lying some miles from the shore, and a heavy surf breaking on the beach, by which both of the boats in going in were completely swamped (not without a degree of danger to the Houssas, very few of whom are swimmers), but also because, from the disposition manifested by the Chiefs and people, both Dr. Gouldsbury and myself were of opinion that there was no probability of a recourse to force being necessary.

4. As it was evening by the time we reached Atoko, which is situated some little distance inland, proceedings were necessarily deferred till the next day, when it was arranged that we should hold the inquiry respecting the late disturbances at the public palaver place of the village, the Chiefs undertaking to produce the persons who were principally inculpated.

5. On the morning of the 27th accordingly we met the Chiefs at the place appointed, and after some delay the latter succeeded in bringing forward several persons who were subsequently recognized by witnesses as having been ringleaders in the disturbance. The Chiefs told us in extenuation of the delay which occurred, that their authority over their people was slight, which I am satisfied was the case, as they, with their headmen and elders, showed the utmost disposition to assist us in every way in their power.

6. I conducted the investigation as nearly as possible in the form of a summary criminal trial, examining the persons who had been present when the disturbance occurred and who were available as witnesses, viz., the landing waiter, three of the houssas, and one of the Chiefs, the accused persons being also allowed to state their defence and to call witnesses.

7. It appeared that one of the Houssa soldiers had gone from the small encampment of huts which constitutes the Customs and police station alone into the village of Atoko, and had there got into a quarrel with, and beaten one of, the inhabitants. It was impossible, and not material, to determine whether this quarrel originated in the fault of the Houssa or his antagonist, but the result was similar to what not unfrequently has taken place among more civilized communities, viz., that some of the townsmen took the part of the man who had been beaten and fell upon the Houssa, who, however, got out of their hands and returned to the station. Some of the Chiefs went there soon after, stating that the Houssa had been beaten through a misunderstanding, and apologising for what had occurred. A number of young men, however, of the town, came after them, and notwithstanding the remonstrances and attempts at pacification on the part of those of the Chiefs who were present, a fight ensued between them and the Houssas, in which the latter, being much outnumbered, had the worst of it, and some of them were rather severely hurt. It was upon this that the landing waiter and detachment came to Quittah as reported by Captain Williams. After their return from thence no renewal of the disturbances had taken place.

8. The matter being of the character which I have described, I and Dr. Gouldsbury considered that it would be adequately dealt with by imposing fines upon the persons who seemed to have been ringleaders in the attack. I accordingly imposed some fines, amounting in the aggregate to 30*l.* sterling, which were paid on behalf of the persons fined by the Chiefs and elders, who it is probable would take methods for making good the amount from the persons who had been primarily ordered to pay, or their more immediate relatives.

9. The fines were not paid till the day following, as the sums, though not large, were relatively considerable, as compared with the means of the parties. After paying the fines, the Chiefs requested that I and Dr. Gouldsbury would meet them again with the townspeople, in order that we might hear some matters which they had to state, as

well as to receive any general instructions we might give them as to their future conduct.

10. In compliance with this request, we met the Chiefs and people again at the palaver place, when the only grievances stated were some matters of social difference in their relations with the Houssas, which admitted of ready methods of adjustment; and I took the opportunity of inculcating on all, in conclusion, the duty as well as the advantage of obedience to authority.

11. From the facts elicited in the inquiry, and from the whole demeanour of the Chiefs and people, I am of opinion that the disturbance originated in the personal and transitory cause which I have stated, and was in no way due to any feeling adverse to English rule, or to the recent establishment at the place of a Customs and Police Station, as, upon the first perusal of Captain Williams' Report, I was somewhat disposed to apprehend might be the fact. The only indication of any description of rankling feeling was an expression spoken to by some of the Houssas as having been used by their assailants when they came up to the encampment, "Captain Glover fought against us last year, with you Houssas as soldiers, and now we come to fight you." It is an expression that would not unnaturally rise to the lips of Ahwoonahs (as the Atoko people are) in a moment of excited feelings, and I scarcely think it need be regarded as indicating more than the temporary excitement which in fact existed. I questioned the Chiefs aside as to whether the disturbance had sprung from any quarrel of old standing, and an emphatic denial was given.

12. Having re-embarked the Houssas who had been landed, I proceeded on board the "Ariel" to Quittah, in execution of the second part of your Excellency's instructions.

13. As concerns the sentence of flogging which is alluded to by your Excellency, I found the facts to have been briefly as follows: Some demijohns of smuggled spirits had been seized at Elmina Chika, and were being taken to Quittah by carriers in charge of two constables. On the way the party was met by Akole (the person upon whom the sentence of flogging was afterwards passed), who ordered the constables to deliver up the spirits to him. Not meeting with compliance, Akole made a signal, which appeared to have been pre-arranged, when a number of persons rushed to the place, armed with sticks and bayonets, and forcibly took the spirits out of the possession of the constables and carried them off. One or two previous instances had taken place of nearly similar offences, involving both disobedience to the Revenue laws, and breach of the peace in endeavouring to carry forcibly into effect the original act of disobedience.

14. The offence of Akole was undoubtedly a very serious one, and although I cannot approve of the sentence of flogging, inasmuch as, at all events, it is not supported by law, I am not surprised that, in this case, Captain Williams had recourse to a punishment which is generally supposed to be of much efficacy. Captain Williams mentioned that, in inflicting the sentence, he had felt reassured as to its legality by the remembrance that, at a former period, when he had occupied the position of Commandant of Anamaboe, he had been instructed by the then Governor of the forts and Settlements on the Gold Coast that it was lawful for him to impose sentences of flogging whenever he considered this mode of punishment necessary and appropriate,—an illustration, if I may be permitted to remark, of the evils that may result from an irregular mode of exposition of the law.

15. I find that in five other cases minor sentences of flogging had been imposed by Captain Williams upon convictions for criminal offences, one being a case of robbery, two cases of theft, and two cases of forcible rescue of illegally-imported spirits.

16. I have informed Captain Williams that there is no legal authority for any of the sentences of flogging inflicted by him, and that no such sentence should for the future be imposed by him.

17. With respect to the manner in which the law has recently been administered by Captain Williams in matters other than those already referred to, I have examined the records of all the cases which have been decided by him. Many of these, so far as I was able to judge from reading the recorded evidence, appeared to have been correctly decided; and there is evidence in general that the investigations are made with a due degree of care and deliberation.

18. I may mention that previously to visiting Quittah I had occasion to animadvert upon two errors committed by Captain Williams; one was his allowing the arrest of a debtor who had come temporarily within his jurisdiction for the purpose of giving evidence in the Court; the other was a prohibition against a person who held a mandate as attorney from appearing in the Court. I do not say that this latter was an erroneous act, as far as the merits are concerned, these being now under investigation by myself; but it was incorrect in the attorney not having had the reasons of the prohibition first communicated

to him, and also in that the order should, in any event, have been one of suspension only in the first instance.

19. It would be in vain to expect not to meet with occasional errors even on the part of a legally-educated magistrate, and more so in the case of a layman; and keeping this consideration in view, I think that Captain Williams' administration of justice, so far as it has as yet proceeded, may compare not unfavourably with that of many other magistrates.

I have, &c.

(Signed) D. P. CHALMERS,
Queen's Advocate and Acting Chief Magistrate
D. P. C.

His Excellency Captain G. C. Strahan,
Governor of the Gold Coast.

P.S.—I have much pleasure in bringing to your Excellency's notice the orderly and docile behaviour of the detachment of Houssa Armed Police employed upon this service, both whilst they were on shipboard and when on shore at Atoko.

No. 84.

Governor Strahan, C.M.G., to the Earl of Carnarvon.—(Received August 4.)

My Lord,

Government House Cape Coast, July 11, 1875.

AS there has been a considerable amount of illness, although not of a serious nature, among both Europeans and natives at Cape Coast, during the last three weeks, it has occurred to me that I should furnish your Lordship with authentic information on the subject, and with this object I have called upon the Acting Colonial Surgeon to furnish me with his Report, which I herewith inclose.

I have, &c.

(Signed) GEO. C. STRAHAN.

Inclosure in No. 84.

Memorandum for his Excellency the Governor.

DURING the last three weeks an epidemic of bilious remittent fever has prevailed throughout the town of Cape Coast, of not a very serious nature, attacking the European officers and officials, very few having escaped. There have been no deaths, and those attacked have generally recovered after a few days. Such an epidemic is rather unlooked for and surprising, as the weather has been very cool and beautiful, and the air clear, and during the whole time a constant and healthy-feeling breeze has set in from the sea. The town is clean, and there is no apparent cause for this little outbreak, except that we are now in the middle of the two rainy seasons, and that the effect of the sun on the previously soaked land has produced the result I have previously endeavoured to describe.

(Signed) J. H. JEANS, *Acting Colonial Surgeon.*

Cape Coast, West Coast of Africa, July 11, 1875.

